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सं. 2 | नई दिल्ली, जनवरी 2—जनवरी 8, 2011, शनिवार/पौष 12—पौष 18, 1932
No. 2 | NEW DELHI, JANUARY 2—JANUARY 8, 2011, SATURDAY/PAUSA 12—PAUSA 18, 1932

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पुथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 28 दिसम्बर, 2010

का.आ. 75.—केंद्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए कर्नाटक राज्य सरकार, कर्नाटक सरकार सचिवालय, विधान सौध, बंगलौर की अधिसूचना सं. एचडी 147 सीआईडी 09 दिनांक 22-12-2009 द्वारा प्राप्त सहमति से धोखाधड़ी व जालसाजी के संबंध में श्री मनमोहन मल्होत्रा, प्रोप्राइटर महाराज सिल्क, बंगलौर के विरुद्ध भारतीय दंड संहिता, 1860 (1860 का अधिनियम सं. 45) की धारा 419, 420, 468 तथा 471 के अधीन पुलिस स्टेशन उपपरपेट, बंगलौर में दर्ज आपराधिक मामला सं. 14/2009 दिनांक 10-01-2009 तथा प्रयत्नों, दुष्प्रेरणों और षडयंत्रों अथवा उपर्युक्त अपराधों के संबंध में या उन्हीं तथ्यों से उद्भूत किसी अन्य अपराध या अपराधों के अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापना के

सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण कर्नाटक राज्य पर करती है।

[सं. 228/8/2010-एवीडी-11]

आर. के. गुप्ता, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 28th December, 2010

S.O. 75.—In exercise of the powers conferred by sub-section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Karnataka, Karnataka Government Secretariat, Vidhana Soudha, Bangalore vide Notification HD 147 CID 09 dated 22-12-2009, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Karnataka for investigation of Criminal Case No. 14/09 dated 10-01-2009

under sections 419, 420, 468 and 471 of the India Penal Code, 1860 (Act No. 45 of 1860) registered at Upparpet Police Station, Bangalore against Shri Manmohan Malhotra, Proprietor of M/s Maharaj Silks, Bangalore relating to cheating and forgery and attempt, abetment and conspiracy in relation to or in connection with the above mentioned offences and other offence or offences committed in course of the same transaction or arising out of the same facts.

[No. 228/8/2010-AVD-II]

R. K. GUPTA, Under Secy.

नई दिल्ली, 29 दिसम्बर, 2010

का. आ. 76.—केंद्रीय सरकार दंड प्रक्रिया संहिता, 1973 (1974 का अधिनियम सं. 2) की धारा 24 की उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा डॉ. ए. के. गौतम तथा श्री नरेंद्र मान को दिल्ली उच्च न्यायालय, नई दिल्ली में दिल्ली विशेष पुलिस स्थापना (केंद्रीय अन्वेषण ब्यूरो) के विशेष लोक अभियोजक के रूप में नियुक्त करती है।

[सं. 225/41/2009-एवीडी-II]

आर. के. गुप्ता, अवर सचिव

New Delhi, the 29th December, 2010

S.O. 76.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Dr. A. K. Gautam and Shri Narendra Mann, Advocates as Special Public Prosecutor of the Delhi Special Police Establishment (Central Bureau of Investigation) in the Delhi High Court, New Delhi.

[No. 225/41/2009-AVD-II]

R. K. GUPTA, Under Secy.

वित्त मंत्रालय

(आर्थिक कार्य विभाग)

(पूँजी बाजार प्रभाग)

नई दिल्ली, 28 दिसम्बर, 2010

का.आ. 77.—भारतीय प्रतिभूति एवं विनियम बोर्ड अधिनियम, 1992 (1992 का 15) की धारा 15 (ब) के साथ पठित धारा 15ठ द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा श्री एस.एस.एन. मूर्ति, अध्यक्ष, केंद्रीय प्रत्यक्ष कर बोर्ड, राजस्व विभाग, वित्त मंत्रालय को 19-01-2011 से पांच वर्ष की अवधि के लिए अथवा उनके बासठ (62) वर्ष की आयु प्राप्त करने तक, जो भी पहले हो, प्रतिभूति अपील अधिकरण, मुंबई का सदस्य नियुक्त करती है।

[फा. सं. 3/6/2010-आर ई]

उज्ज्वल कुमार, अवर सचिव

MINISTRY OF FINANCE

(Department of Economic Affairs)

(Capital Market Division)

New Delhi, the 28th December, 2010

S.O. 77.—In exercise of the powers conferred by Section 15L read with Section 15N of the Securities and Exchange Board of India Act, 1992 (15 of 1992), the Central Government hereby appoints Shri S. S. N. Moorthy, Chairman, Central Board of Direct Taxes, Department of Revenue, Ministry of Finance as Member of the Securities Appellate Tribunal, Mumbai for a period of five years with effect from 19-1-2011 or till he attains the age of sixty two (62) years, whichever is earlier.

[F.No. 3/6/2010-RE]

UJJWAL KUMAR, Under Secy

कार्यालय मुख्य आयकर आयुक्त

जयपुर, 27 दिसम्बर, 2010

सं. 20/2010-11

का.आ. 78.—आयकर नियम, 1962 के नियम 2 सी ए के साथ पठनीय आयकर अधिनियम, 1961 (1961 का 43 वां) की धारा 10 के खण्ड (23 सी) की उप-धारा (vi) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मुख्य आयकर आयुक्त, जयपुर एतद्वारा निर्धारण वर्ष 2011-12 एवं आगे के लिए कथित धारा के उद्देश्य से "मै स्कोलर्स एजुकेशन ट्रस्ट आफ इण्डिया जयपुर" को स्वीकृति देते हैं बशर्ते कि समिति आयकर नियम, 1962 के नियम 2 सीए के साथ पठनीय आयकर अधिनियम, 1961 की धारा 10 के उप-खण्ड (23सी) की उप-धारा (vi) के प्रावधानों के अनुरूप कार्य करे।

[क्रमांक : मुआअ/अआआ/(मु)/जय/10 (23सी) (vi)/10-11/5752]

मुकेश भान्ती, मुख्य आयकर आयुक्त

OFFICE OF THE CHIEF COMMISSIONER OF INCOME TAX

Jaipur, the 27th December, 2010

No. 20/2010-2011

S.O. 78.—In exercise of the powers conferred by sub-clause (vi) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961) read with rule 2CA of the Income-tax Rules, 1962 the Chief Commissioner of Income-tax, Jaipur hereby approves "Scholar's Education Trust of India, Jaipur" for the purpose of said section for the A. Y. 2011-12 and onwards.

Provided that the society conforms to and complies with the provisions of sub-clause (vi) of clause (23C) of section 10 of the Income-tax Act, 1961 read with rule 2CA of the Income-tax Rules, 1962.

[No. CCIT/JPR/Addl. CIT (Hqrs.)/10(23C) (vi)/2010-11/5752]

MUKESH BHANTI, Chief Commissioner of Income-tax.

जयपुर, 27 दिसम्बर, 2010

सं. 21/2010-11

का.आ. 79.—आयकर नियम, 1962 के नियम 2 सी ए के साथ पठनीय आयकर अधिनियम, 1961 (1961 का 43 वां) की धारा 10 के खण्ड (23सी) की उप-धारा (vi) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मुख्य आयकर आयुक्त, जयपुर एतद्वारा निर्धारण वर्ष 2010-11 एवं आगे के लिए कथित धारा के उद्देश्य से “बाल भारती विद्यापीठ संस्थान, सुजानगर, जिला-चुरू” को स्वीकृति देते हैं बशर्ते कि समिति आयकर नियम 1962 के नियम 2 सी ए के साथ पठनीय आयकर अधिनियम, 1961 की धारा 10 के उप-खण्ड (23 सी) की उप-धारा (vi) के प्रावधानों के अनुरूप कार्य करे।

[क्रमांक : मुआआ/अआआ/(मु)/जय/10 (23सी) (6)/10-11/5751]

मुकेश भान्ती, मुख्य आयकर आयुक्त

Jaipur, the 27th December, 2010

No. 21/2010-11

S.O. 79.—In exercise of the powers conferred by sub-clause (vi) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961) read with rule 2CA of the Income-tax Rules, 1962 the Chief Commissioner of Income-tax, Jaipur hereby approves “Bal Bharti Vidhyapeeth Sansthan, Sujangarh Distt. Churu” for the purpose of said section for the A. Y. 2010-11 & onwards.

Provided that the society conforms to and complies with the provisions of sub-clause (vi) of clause (23C) of Section 10 of the Income-tax Act, 1961 read with rule 2CA of the Income-tax Rules, 1962.

[No. CCIT/JPR/Addl. CIT (Hqrs.)/10(23C)(vi)/2010-11/5751]

MUKESH BHANTI, Chief Commissioner of Income-tax

जयपुर, 27 दिसम्बर, 2010

सं. 22/2010-11

का.आ. 80.—आयकर नियम, 1962 के नियम 2 सी ए के साथ पठनीय आयकर अधिनियम, 1961 (1961 का 43 वां) की धारा 10 के खण्ड (23सी) की उप-धारा (iv) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मुख्य आयकर आयुक्त, जयपुर एतद्वारा निर्धारण वर्ष 2010-11 एवं आगे के लिए कथित धारा के उद्देश्य से “सेंट पीटर्स सामाजिक सेवा संस्था, जयपुर” को स्वीकृति देते हैं बशर्ते कि समिति आयकर नियम 1962 के नियम 2 सी के साथ पठनीय आयकर अधिनियम, 1961 की धारा 10 के उप-खण्ड (23 सी) की उप-धारा (iv) के प्रावधानों के अनुरूप कार्य करे।

[क्रमांक : मुआआ/अआआ/(मु)/जय/10 (23सी) (iv)/10-11/5753]

मुकेश भान्ती, मुख्य आयकर आयुक्त

Jaipur, the 27th December, 2010

No. 22/2010-11

S.O. 80.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961) read with rule 2C of the Income-tax Rules, 1962 the Chief Commissioner of Income-tax, Jaipur hereby approves “Saint Peters, Samagic Sewa Sanstha, Jaipur” for the purpose of said section for the A. Y. 2010-11 & onwards.

Provided that the society conforms to and complies with the provisions of sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 read with rule 2C of the Income-tax Rules, 1962.

[No. CCIT/JPR/Addl. CIT (Hqrs.)/10(23C)(iv)/2010-11/5753]

MUKESH BHANTI, Chief Commissioner of Income-tax

(वित्तीय सेवाएं विभाग)

नई दिल्ली, 28 दिसम्बर, 2010

का.आ. 81.—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 9 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, मोहम्मद सोहराब (जन्म तिथि : 02-07-1932) को उनकी नियुक्ति की अधिसूचना की तिथि से चार वर्षों की अवधि के लिए अथवा अगले आदेश होने तक, जो भी पहले हो, श्रीमती किरन घई के स्थान पर भारतीय रिजर्व बैंक के पूर्वी स्थानीय बोर्ड में सदस्य के रूप में नियुक्त करती है।

[फा. सं. 9/17/2008-बी ओ-1]

सुमिता डावरा, निदेशक

(Department of Financial Services)

New Delhi, the 28th December, 2010

S.O. 81.—In exercise of the powers conferred by sub-section (1) of Section 9 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby appoints Md. Sohrab (DoB : 02-07-1932), to be a Member of the Eastern Area Local Board of the Reserve Bank of India for a period of four years from the date of notification of his appointment or until further orders whichever is earlier vice Smt. Kiran Ghai.

[F.No. 9/17/2008-BO. I]

SUMITA DAWRA, Director

विदेश मंत्रालय

(सीपीवी प्रभाग)

नई दिल्ली, 13 दिसम्बर, 2010

का.आ. 82.—राजनयिक और कौंसलीय ऑफिसर (शपथ और फीस) के अधिनियम, 1948 की धारा 2 के खंड (क) के

अनुसरण में, केंद्र सरकार एतद्वारा श्री प्रेम चन्द, निम्न श्रेणी लिपिक को 13-12-2010 से भारत के कौंसलावास, दुबई में सहायक कौंसुलर अधिकारी के कर्तव्यों का पालन करने के लिए प्राधिकृत करती है।

[सं. टी 4330/1/2006]

आर. के. पेरिन्डिया, अवर सचिव (कौंसुलर)

MINISTRY OF EXTERNAL AFFAIRS

(C. P. V. Division)

New Delhi, the 13th December, 2010

S.O. 82.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorize Shri Prem Chand, Lower Division Clerk in the Consulate General of India, Dubai to perform the duties of Assistant Consular Officers with effect from 13th December, 2010.

[No. T. 4330/1/2006]

R. K. PERINDIA, Under Secy. (Consular)

स्वास्थ्य एवं परिवार कल्याण मंत्रालय

नई दिल्ली, 1 दिसम्बर, 2010

का.आ. 83.—केन्द्र सरकार, दंत चिकित्सा अधिनियम, 1948 (1948 का 16) की धारा (10) की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दन्त चिकित्सा परिषद् से परामर्श करके, उक्त अधिनियम के अनुसूची के भाग 1 में निम्नलिखित संशोधन करती है, नामतः—

2. राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बंगलौर द्वारा प्रदान की जा रही दंत चिकित्सा डिग्रियों को मान्यता देने के बारे में दंत चिकित्सा अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में क्रम संख्या 49 के सामने कॉलम 2 तथा 3 की मौजूद प्रविष्टियों में इसके पश्चात् निम्नलिखित प्रविष्टियों को अंतर्विष्ट किया जाएगा :—

“XXXXI नवोदय दंत-चिकित्सा महाविद्यालय तथा अस्पताल, रायचुर।

- | | |
|------------------------------|------------------------|
| (i) दंत शल्य चिकित्सा स्नातक | राजीव गांधी स्वास्थ्य |
| (यदि दिनांक 13-7-2010 को | विज्ञान विश्वविद्यालय, |
| या उसके बाद प्रदान की गई।) | बंगलौर” |

[फा. सं. बी. 12017/43/2005-डी ई]

अनिता त्रिपाठी, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

New Delhi, the 1st December, 2010

S.O. 83.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16

of 1948), the Central Government, after consultation with Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely :—

2. In the existing entries of column 2 & 3 against Serial No. 49, in part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Rajiv Gandhi University of Health Sciences (RGUHS), Bangalore, the following entries shall be inserted thereunder :—

“XXXXI Navodaya Dental College & Hospital, Raichur

- | | |
|--------------------------------|----------------------|
| (i) Bachelor of Dental Surgery | BDS, Rajiv Gandhi |
| (if granted on or after | University of Health |
| 13-7-2010) | Sciences, |
| | Bangalore” |

[No. V-12017/43/2005-DE]

ANITA TRIPATHI, Under Secy.

नई दिल्ली, 3 दिसम्बर, 2010

का.आ. 84.—केन्द्र सरकार, दंत चिकित्सा अधिनियम, 1948 (1948 का 16) की धारा (10) की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दन्त चिकित्सा परिषद् से परामर्श करके, उक्त अधिनियम के अनुसूची के भाग 1 में निम्नलिखित संशोधन करती है, नामतः—

2. राजस्थान स्वास्थ्य विज्ञान विश्वविद्यालय, जयपुर द्वारा प्रदान की जा रही दंत चिकित्सा डिग्रियों को मान्यता देने के बारे में दंत चिकित्सा अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में क्रम संख्या 72 के सामने कॉलम 2 तथा 3 की मौजूद प्रविष्टियों में इसके पश्चात् निम्नलिखित प्रविष्टियों को अंतर्विष्ट किया जाएगा :—

मास्टर ऑफ डेंटल सर्जरी

“VIII. दर्शन डेंटल कॉलेज एंड हास्पिटल, उदयपुर, राजस्थान
मास्टर ऑफ डेंटल सर्जरी

- | | |
|--|--|
| (ix) ओरल पैथोलोजी एंड माइक्रो-
बायोलोजी | बी डी एस (ओरल
पैथोलोजी एंड माइक्रो-
बायोलोजी) राजस्थान |
| (यदि दिनांक 12-06-2010 को | स्वास्थ्य विज्ञान विश्व- |
| या उसके बाद प्रदान की गई।) | विद्यालय, जयपुर।” |

[फा. सं. बी. 12017/60/2005-डी ई]

अनिता त्रिपाठी, अवर सचिव

New Delhi, the 3rd December, 2010

S.O. 84.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948

(16 of 1948), the Central Government, after consultation with Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely :-

2. In the existing entries of column 2 & 3 against Serial No. 72, in part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Rajasthan University of Health Sciences Jaipur, the following entries shall be inserted thereunder :-

**"VII Darshan Dental College & Hospital,
Udaipur, Rajasthan**

Master of Dental Surgery

(ix) Oral Pathology & Microbiology (if granted on or after 12-6-2010	MDS, (Oral Pathology & Microbiology), Rajasthan University of Health Sciences, Jaipur"
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[F. No. V-12017/60/2005-DE]

ANITA TRIPATHI, Under Secy.

नई दिल्ली, 3 दिसम्बर, 2010

का.आ. 85.—केन्द्र सरकार, दंत चिकित्सा अधिनियम, 1948 (1948 का 16) की धारा (10) की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दन्त चिकित्सा परिषद से परामर्श करके, उक्त अधिनियम के अनुसूची के भाग I में निम्नलिखित संशोधन करती है, नामतः :-

2. के एल ई मानद विश्वविद्यालय, बेलगाम द्वारा प्रदान की जा रही दंत चिकित्सा डिग्रियों को मान्यता देने के बारे में दंत चिकित्सा अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I में क्रम संख्या 86 के सामने कॉलम 2 तथा 3 की मौजूद प्रविष्टियों को अंतर्विष्ट किया जाएगा :-

"के एल ई दंत शल्य चिकित्सा संस्थान, बेलगाम

बैचलर ऑफ डेंटल सर्जरी	बी.डी.एस., के एल ई मानद विश्वविद्यालय, बेलगाम"
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(यदि दिनांक 4-8-2010

को या उसके बाद प्रदान की गई)

[फा. सं. बी. 12018/1/2002-डीई]

अनिता त्रिपाठी, अवर सचिव

New Delhi, the 3rd December, 2010

S.O. 85.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely :-

2. In the existing entries of column 2 & 3 against Serial No. 86, in part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by KLE Deemed University, Belgaum, the following entries shall be inserted thereunder :-

"KLE Institute of Dental Sciences, Belgaum.

Bachelor of Dental Surgery (if granted on or after 4-8-2010)	BDS, KLE Deemed University, Belgaum"
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[F.No. V-12018/1/2002-DE]

ANITA TRIPATHI, Under Secy.

नई दिल्ली, 6 दिसम्बर, 2010

का.आ. 86.—केन्द्र सरकार, दंत चिकित्सा अधिनियम, 1948 (1948 का 16) की धारा (10) की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दन्त चिकित्सा परिषद से परामर्श करके, उक्त अधिनियम के अनुसूची के भाग I में निम्नलिखित संशोधन करती है, नामतः :-

2. देवी अहिल्या विश्वविद्यालय, इंदौर द्वारा प्रदान की जा रही दंत चिकित्सा डिग्रियों को मान्यता देने के बारे में दंत चिकित्सा अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I में क्रम संख्या 26 के सामने कॉलम 2 तथा 3 की मौजूद प्रविष्टियों में इसके पश्चात् निम्नलिखित प्रविष्टियों को अंतर्विष्ट किया जाएगा :-

"I दंत शल्य चिकित्सा महाविद्यालय, इंदौर

मास्टर ऑफ डेंटल सर्जरी ओरल एंड मैक्सिलोफेसियल सर्जरी (यदि दिनांक 25-5-2010 को या उसके बाद प्रदान की गई)।	एम.डी.एस., (ओरल एंड) मैक्सिलोफेसियल सर्जरी), देवी अहिल्या विश्वविद्यालय, इंदौर "
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[फा. सं. बी. 12017/5/2005-डीई]

अनिता त्रिपाठी, अवर सचिव

New Delhi, the 6th December, 2010

S.O. 86.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely :-

2. In the existing entries of column 2 & 3 against Serial No. 26, in part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Devi Ahilya Vishwavidyalaya, Indore, the following entries shall be inserted thereunder :-

"I College of Dentistry, Indore**Master of Dental Surgery**

Oral & Maxillofacial Surgery MDS, (Oral & Maxillofacial Surgery),
(if granted on or after 26-5-2010) Devi Ahilya Vishwavidyalaya, Indore"

[F. No. V-12017/5/2005-DE]

ANITA TRIPATHI, Under Secy.

नई दिल्ली, 7 दिसम्बर, 2010

का.आ. 87.—केन्द्र सरकार, दंत चिकित्सा अधिनियम, 1948 (1948 का 16) की धारा (10) की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दन्त चिकित्सा परिषद से परामर्श करके, उक्त अधिनियम के अनुसूची के भाग I में निम्नलिखित संशोधन करती है, नामतः :-

2. राजस्थान आयुर्विज्ञान विश्वविद्यालय, जयपुर द्वारा प्रदान की जा रही दंत चिकित्सा डिग्रियों को मान्यता देने के बारे में दंत चिकित्सा अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I में क्रम संख्या 72 के सामने कॉलम 2 तथा 3 की मौजूद प्रविष्टियों में इसके पश्चात् निम्नलिखित प्रविष्टियों को अंतर्विष्ट किया जाएगा :-

" VI जयपुर दंत चिकित्सा महाविद्यालय, जयपुर ।

(II) मास्टर ऑफ डेंटल सर्जरी

(viii) कन्जर्वेटिव डेंटिस्ट्री एम डी एस (कन्जर्वेटिव डेंटिस्ट्री एंड इंडोडॉन्टिक्स) एंड इंडोडॉन्टिक्स
(यदि दिनांक 9-6-10 का या उसके बाद प्रदान की गई ।) राजस्थान स्वास्थ्य विज्ञान विश्व-विद्यालय, जयपुर ।

(ix) ओरल पैथोलोजी एंड माइक्रोबायोलोजी एम डी एस (ओरल पैथोलोजी एंड माइक्रोबायोलोजी)
(यदि दिनांक 9-6-10 का या उसके बाद प्रदान की गई ।) राजस्थान स्वास्थ्य विज्ञान विश्व-विद्यालय, जयपुर" ।

[फा. सं. वी-12017/63/2005-डी ई]

अनिता त्रिपाठी, अवर सचिव

New Delhi, the 7th December, 2010

S.O. 87.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely :—

2. In the existing entries of column 2 & 3 against Serial No. 72, in part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Rajasthan University of Health Sciences, Jaipur, the following entries shall be inserted thereunder :-

"VI Jaipur Dental College, Jaipur**(ii) Master of Dental Surgery**

(viii) Conservative Dentistry and Endodontics MDS, (Conservative Dentistry and Endodontics), Rajasthan University of Health Sciences, Jaipur
(if granted on or after 9-6-2010)

(ix) Oral Pathology & Microbiology MDS, (Oral Pathology & Microbiology), Rajasthan University of Health Sciences, Jaipur"
(if granted on or after 9-6-2010)

[F. No. V-12017/63/2005-DE]

ANITA TRIPATHI, Under Secy.

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 23 दिसम्बर, 2010

का.आ. 88.—केन्द्र सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अनुसरण में, आकाशवाणी महानिदेशालय, नई दिल्ली (सूचना और प्रसारण मंत्रालय) के निम्नलिखित अधीनस्थ केंद्रों/कार्यालयों, जिनके 80% से अधिक कर्मचारीवृन्द ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है :-

1. आकाशवाणी, झालावाड़
2. आकाशवाणी, हासन

[फा. सं. ई-11017/6/2010-हिंदी]

प्रियम्वदा, निदेशक (रा.भा.)

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 23rd December, 2010

S.O. 88.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Languages (Use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies the following offices under Directorate General of All India Radio, New Delhi (Ministry of Information and Broadcasting), more than 80% of the staff whereof have acquired the working knowledge of Hindi :—

1. All India Radio, Jhalawar
2. All India Radio, Hassan

[F. No. E-11017/6/2010-Hindi]

PRIYAMVADA, Director (O. L.)

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 29 दिसम्बर, 2010

का.आ. 89.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 6 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की नीचे दी गई अधिसूची में यथा उल्लिखित तारीखों की संख्या का.आ. द्वारा उन अधिसूचनाओं से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया था।

और केन्द्रीय सरकार ने उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त भूमियों में, सभी विल्लगनों से मुक्त उपयोग का अधिकार भारत ओमान रिफाइनरीज लिमिटेड में निहित किया था।

और जबकि सक्षम प्राधिकारी ने केन्द्रीय सरकार को रिपोर्ट दी है कि कच्चे पेट्रोलियम उत्पादों के परिवहन के लिए भारत ओमान रिफाइनरीज लिमिटेड के गुजरात राज्य के जिला जामनगर स्थित वाडीनार संस्थापन से मध्य प्रदेश राज्य के जिला सागर स्थित बीना संस्थापन तक उपर्युक्त भूमियों में पाइपलाइन बिछाई जा चुकी है, अतः ऐसी भूमि के बारे में जिसका विवरण इस अधिसूचना से संलग्न अनुसूची से विनिर्दिष्ट है, प्रचालन समाप्त किया जाए;

अतः अब केन्द्रीय सरकार पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1963 के नियम 4 के स्पष्टीकरण-1 के अधीन अपेक्षानुसार उक्त अनुसूची के स्तंभ 7 में उल्लिखित तारीखों को जिला रतलाम मध्यप्रदेश राज्य में प्रचालन की समाप्ति की तारीख के रूप में घोषित करती है।

अनुसूची

क्र.सं.	का.आ. नं. व तारीख	ग्राम का नाम	तहसील	जिला	राज्य	प्रचालन समाप्ति की तारीख
1	525-दिनांक 05-03-1998	सुजलाना	रतलाम	रतलाम	मध्यप्रदेश	21-08-2009

[फा. सं. आर-31015/13/10-ओआर-II]

ए. गोस्वामी, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 29th December, 2010

S.O. 89.—Whereas by Notification of the Government of India in the Ministry of Petroleum & Natural Gas, S. O. Nos. and dates as mentioned in the Schedule below issued under Sub-section (i) of Section (6), Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government acquired the Right of User in the said lands specified in the schedule appended to those Notification;

And Whereas, in exercise of powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government vested the right of user in the lands, free from all encumbrances in the name of Bharat Oman Refineries Limited;

And Whereas, the Competent Authority has made a report to the Central Government that the pipeline for the purpose of transportation of crude oil from Vadinar, District : Jamnagar in the State of Gujarat to Bina, District : Sagar, in the State of Madhya Pradesh has been laid in the said lands and hence the operation may be terminated in the said lands which in brief are specified in the schedule annexed to this Notification;

Now, therefore, as required under explanation 1 of rule 4 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Rules 1963, the Central Government hereby declares the dates mentioned in Column 7 of the said Schedule as the dates of termination in District : Ratlam in the State of Madhya Pradesh.

SCHEDULE

Sr. No.	S. O. and date	Name of Village	Tehsil	District	State	Date of Termination
1	525 dated 05-03-1998	Sujalana	Ratlam	Ratlam	M. P.	21-08-2009

[F.N.R.-31015/13/10-OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 29 दिसम्बर, 2010

का.आ. 90.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 6 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की नीचे दी गई अधिसूची में यथा उल्लिखित तारीखों की संख्या का.आ. द्वारा उन अधिसूचनाओं से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया था।

और केन्द्रीय सरकार ने उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त भूमियों में, सभी विलक्षणताओं से मुक्त उपयोग का अधिकार भारत ओमान रिफाइनरीज लिमिटेड में निहित किया था।

और जबकि सक्षम प्राधिकारी ने केन्द्रीय सरकार को रिपोर्ट दी है कि कच्चे पेट्रोलियम तेल के परिवहन के लिए भारत ओमान रिफाइनरीज लिमिटेड के गुजरात राज्य स्थित वाडीनार संस्थापन से मध्य प्रदेश राज्य स्थित बीना संस्थापन तक उपर्युक्त भूमियों में पाइपलाइन बिछाई जा चुकी है, चूँकि गुजरात राज्य के जिला आणंद में पाइपलाइन बिछाई जा चुकी है, अतः ऐसी भूमि के बारे में जिसका विवरण इस अधिसूचना से संलग्न अनुसूची से विनिर्दिष्ट है, प्रचालन समाप्त किया जाए;

अतः अब केन्द्रीय सरकार पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1963 के नियम 4 के स्पष्टीकरण-1 के अधीन अपेक्षानुसार उक्त अनुसूची के स्तंभ 7 में उल्लिखित तारीखों को जिला आणंद, गुजरात राज्य में प्रचालन की समाप्ति की तारीख के रूप में घोषित करती है।

अनुसूची

क्र. सं.	का.आ.नं. व तारीख	ग्राम का नाम	तहसील	जिला	राज्य	प्रचालन समाप्ति की तारीख
1	2125-दिनांक 22-10-1998	वणसोल	उमरेठ	आणंद	गुजरात	19-09-2010
		पणसोरा	उमरेठ	आणंद	गुजरात	19-09-2010
		घोरा	उमरेठ	आणंद	गुजरात	19-09-2010
		थामणा	उमरेठ	आणंद	गुजरात	19-09-2010
		उमरेठ	उमरेठ	आणंद	गुजरात	19-09-2010
		लिंगडा	उमरेठ	आणंद	गुजरात	19-09-2010
2	1593-दिनांक 25-06-2010	वणसोल	उमरेठ	आणंद	गुजरात	19-09-2010
		पणसोरा	उमरेठ	आणंद	गुजरात	19-09-2010
		थामणा	उमरेठ	आणंद	गुजरात	19-09-2010
		उमरेठ	उमरेठ	आणंद	गुजरात	19-09-2010

[फा. सं. आर-31015/13/10-ओआर-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 29th December, 2010

S.O. 90.—Whereas by Notification of the Government of India in the Ministry of Petroleum & Natural Gas, S. O. Nos. and dates as mentioned in the Schedule below issued under Sub-section (i) of section (6), Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government acquired the Right of User in the said lands specified in the schedule appended to those Notification;

And Whereas, in exercise of powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government vested the right of user in the lands, free from all encumbrances in the Bharat Oman Refineries Limited;

And Whereas, the Competent Authority has made a report to the Central Government that the pipeline for the purpose of transportation of crude oil from Vadinar, in the State of Gujarat to Bina, in the State of Madhya Pradesh has been laid in the said lands and hence the operation may be terminated in District Anand in the State of Gujarat in respect of the said lands which in brief are specified in the schedule annexed to this Notification;

Now, therefore, as required under explanation 1 of rule 4 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Rules 1963, the Central Government hereby declares the dates mentioned in Column 7 of the said Schedule as the dates of termination in District Anand in the State of Gujarat.

SCHEDULE

Sr. No.	S. O. No. and date	Name of Village	Taluka	District	State	Date of Termination of Operation
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	2125 Date 22-10-1998	Vansol	Umreth	Anand	Gujarat	19-09-2010
		Pansora	Umreth	Anand	Gujarat	19-09-2010
		Ghora	Umreth	Anand	Gujarat	19-09-2010
		Thamna	Umreth	Anand	Gujarat	19-09-2010
		Umreth	Umreth	Anand	Gujarat	19-09-2010
		Lingada	Umreth	Anand	Gujarat	19-09-2010
2	1593 Date 25-06-2010	Vansol	Umreth	Anand	Gujarat	19-09-2010
		Pansora	Umreth	Anand	Gujarat	19-09-2010
		Thamna	Umreth	Anand	Gujarat	19-09-2010
		Umreth	Umreth	Anand	Gujarat	19-09-2010

[F.No. R-31015/13/10-OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 30 दिसम्बर, 2010

का.आ. 91.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 673 तारीख 23 फरवरी, 2010 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उड़ीसा राज्य की तहसील : हिन्दोल, जिला डेन्कानाल की भूमि में, पारादीप-सम्बलपुर-रायपुर-राँची पाइपलाइन परियोजना के कार्यान्वयन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा उड़ीसा राज्य में पारादीप से रायपुर (छत्तीसगढ़) एवं राँची (झारखंड) तक पेट्रोलियम उत्पादों के परिवहन के लिए पाइपलाइन बिछाने हेतु उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और, उक्त अधिसूचना की प्रतियाँ जनता को तारीख 28 अप्रैल, 2010 को उपलब्ध करा दी गई थी;

और, उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जित करने का विनिश्चय किया है;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाता है;

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए, सभी विल्लिंगों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : हिन्दोल जिला : डेन्कानाल राज्य : उड़ीसा

गाँव का नाम प्लॉट नं. क्षेत्रफल

हेक्टेयर एयर वर्ग मीटर

(1)	(2)	(3)	(4)	(5)
गन्जरा	736	00	17	58
	735	00	03	02
	698	00	18	16
	1968	00	01	00
	697	00	01	35
	696	00	08	59
	695	00	06	46
	687	00	02	28
	623	00	16	87

(1)	(2)	(3)	(4)	(5)
गन्जरा	1824	00	02	98
	622	00	28	33
	621	00	00	82
	620	00	09	37
	618	00	01	08
	617	00	13	91
	613	00	00	14
	129	00	01	50
	122	00	04	86
	99	00	01	53
	98	00	01	56
	96	00	03	30
	95	00	05	49
	94	00	01	11
	85	00	04	11
	87	00	11	78
	86	00	00	13
	88	00	05	18
	63	00	00	96
	62	00	04	50
	89	00	00	19
	64	00	00	66
	61	00	05	08
	7	00	01	85
	8	00	00	56
	9	00	03	26
	60	00	00	20
	58	00	05	60
	56	00	04	70
	1902	00	01	25
	15	00	16	57
	14	00	00	53
	16	00	02	30
	17	00	02	77
	19	00	00	11
	27	00	01	10
ब्राह्मणिआपाल	1901	00	12	17
	1905	00	03	89
	1906	00	04	33
	1917	00	00	35
	1939	00	12	72
	1955	00	10	08
	1958	00	04	07
	1959	00	09	61
	1961	00	00	12
	1962	00	05	48

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
ब्राह्मणिआपाल	1963	00	03	60	ब्राह्मणिआपाल	200	00	03	28
	1964	00	04	67		198	00	05	40
	1965	00	05	08		197	00	01	92
	1966	00	02	25		196	00	00	36
	1967	00	03	43		195	00	00	33
	1968	00	05	74		185	00	00	10
	1976	00	14	25		184	00	02	20
	2054	00	01	89		183	00	07	47
	2038	00	19	16		180	00	00	10
	2039	00	11	32		186	00	03	67
	1133	00	08	12		182	00	02	80
	1134	00	03	68		178	00	06	21
	1132	00	01	79		177	00	07	02
	300	00	00	89		146	00	07	84
	2188	00	00	30		145	00	00	57
	322	00	10	85		147	00	04	63
	325	00	00	50		148	00	10	94
	489	00	07	62		149	00	04	74
	2173	00	10	48		150	00	03	42
	286	00	05	26		2184	00	00	15
	284	00	01	23		135	00	02	81
	287	00	04	54		134	00	02	62
	283	00	04	23		122	00	02	26
	282	00	00	14		133	00	01	52
	280	00	01	08		132	00	03	20
	275	00	02	33		131	00	01	11
	276	00	04	60		124	00	00	67
	277	00	01	70		125	00	02	60
	278	00	00	10		126	00	00	10
	270	00	06	75		123	00	00	10
	263	00	01	84		100	00	02	34
	262	00	00	58		101	00	02	71
	261	00	00	27		104	00	03	00
	260	00	09	46		103	00	02	56
	258	00	00	10		102	00	02	03
	2135	00	11	90		58	00	00	28
	223	00	00	41		60	00	06	25
	222	00	03	05		61	00	03	11
	221	00	01	49		59	00	00	27
	208	00	05	22		55	00	07	91
	207	00	18	77		54	00	09	87
	206	00	10	37		53	00	05	32
	205	00	07	92		50	00	00	87
	204	00	00	10		51	00	00	56
	202	00	05	77		52	00	00	77
	201	00	05	06		44	00	21	88

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
ब्राह्मणिआपाल	29	00	13	36	बम्फा	70	00	13	53
	30	00	17	17		71	00	00	29
	24	00	05	17		2291	00	01	01
	2205	00	09	82		75	00	00	10
	20	00	10	67		68	00	03	00
	2187	00	07	30		67	00	11	42
	12	00	10	77		66	00	00	43
	11	00	02	28		83	00	08	35
	1	00	60	95		90	00	04	50
बम्फा	2063	00	42	74		86	00	10	97
	2060	00	18	41		85	00	06	77
	2048	00	10	04		59	00	00	10
	2050	00	00	10		87	00	01	25
	2039	00	11	26		55	00	07	94
	1934	00	06	16		54	00	04	55
	1935	00	15	25		50	00	00	50
	1941	00	04	12		36	00	00	10
	1937	00	04	45		12	00	07	20
	1940	00	05	17		2333	00	35	65
	1939	00	01	35		2334	00	02	31
	2328	00	01	85		10	00	67	84
	1945	00	01	42		2285	00	41	37
	1850	00	00	10		2284	00	47	48
	1849	00	01	42		2265	00	09	02
	1848	00	01	59		2271	00	00	10
	1847	00	03	04	भिन्निरा	531	00	08	93
	1853	00	14	80		530	00	06	04
	1854	00	00	10		529	00	06	25
	1844	00	00	80		528	00	15	34
	1825	00	02	37		526	00	04	54
	1824	00	08	75		525	00	01	41
	1823	00	01	03		524	00	00	10
	1829	00	07	02		523	00	11	96
	1833	00	02	48		519	00	06	34
	1832	00	09	14		517	00	03	94
	1831	00	00	34		515	00	14	29
	1811	00	02	13		514	00	10	96
	1788	00	00	71		513	00	03	39
	1713	00	04	80		512	00	07	92
	1712	00	03	43		901	00	03	83
	1711	00	05	09		511	00	01	19
	1710	00	03	41		494	00	08	22
	1707	00	04	59		495	00	01	43
	1709	00	02	75		490	00	00	94
	313	00	09	56		447	00	19	06
	311	00	00	10		445	00	20	34

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
भिन्नरा	444	00	02	65	खण्डतिरि	3308	00	01	95
	443	00	21	03		3307	00	08	15
	442	00	00	10		3305	00	10	65
	433	00	02	06		3295	00	05	52
	434	00	05	54		3296	00	00	17
	427	00	03	22		3297	00	04	17
	435	00	03	90		3299	00	03	89
	406	00	00	78		3300	00	00	10
	426	00	04	85		3291	00	00	39
	425	00	02	24		3290	00	00	87
	407	00	02	95		3289	00	01	76
	422	00	08	16		398	00	05	26
	408	00	03	22		399	00	04	98
	421	00	04	35		391	00	00	19
	420	00	04	64		3738	00	21	25
	409	00	04	27		295	00	01	99
	410	00	02	98		371	00	01	78
	411	00	02	80		368	00	19	62
	881	00	01	21		369	00	05	27
	817	00	02	39		3715	00	01	67
	915	00	00	10		370	00	04	54
	310	00	02	45		576	00	01	83
	146	00	11	02		575	00	03	49
	145	00	00	20		573	00	04	32
	147	00	12	27		574	00	02	17
	135	00	21	36		569	00	13	98
	137	00	00	25		564	00	00	86
	136	00	01	41		565	00	00	10
	118	00	01	08		566	00	04	92
	117	00	07	71		548	00	14	98
	116	00	21	93		543	00	00	10
	112	00	04	24		545	00	01	77
	114	00	08	04		546	00	01	73
	3	00	01	44		547	00	02	56
	2	00	01	21		696	00	00	19
ब्रह्मपुर	3057	00	01	21		698	00	04	70
	2670	00	02	05		697	00	04	84
	3095	00	02	45		699	00	00	10
	2671	00	07	77		700	00	00	10
	2672	00	03	26		690	00	04	91
	2669	00	00	10		689	00	01	12
	3101	00	13	79		686	00	01	27
	2668	00	03	51		687	00	07	19
	2661	00	03	06		707	00	06	81
	2659	00	02	24		680	00	00	10
खण्डतिरि	3309	00	00	77		708	00	07	29

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
खण्डतिरि	709	00	04	84	गिरिधरप्रसाद	524	00	01	83
	714	00	02	36		519	00	00	46
	3807	00	04	35		517	00	00	10
	713	00	06	09		516	00	03	74
	775	00	02	72		514	00	05	74
	781	00	02	94		495	00	00	10
	780	00	05	48		513	00	03	02
	778	00	01	33		512	00	00	10
	779	00	04	05		496	00	05	58
	776	00	07	14		498	00	01	41
	1103	00	09	58		500	00	14	66
	1104	00	01	48		3646	00	00	96
गिरिधरप्रसाद	198	00	01	11		501	00	03	88
	199	00	24	47		1	00	04	32
	228	00	02	02	कारन्दा	3831	00	05	10
	227	00	01	80		3802	00	02	96
	229	00	07	24		3804	00	06	61
	226	00	01	31		3805	00	01	77
	230	00	05	72		3803	00	00	70
	225	00	01	48		3808	00	02	95
	272	00	02	70		3807	00	00	10
	435	00	08	71		3809	00	02	63
	438	00	03	67		3797	00	00	82
	436	00	02	71		3815	00	03	41
	430	00	01	37		3796	00	00	30
	437	00	03	58		3817	00	04	37
	429	00	00	64		3816	00	01	00
	428	00	03	01		3837	00	01	65
	426	00	03	30		3864	00	06	79
	427	00	02	10		3867	00	00	52
	425	00	00	43		3865	00	02	11
	451	00	03	81		3866	00	01	35
	450	00	00	10		3861	00	02	25
	452	00	02	54		3862	00	01	86
	454	00	00	10		3859	00	04	98
	453	00	03	62		3858	00	00	20
	421	00	06	07		3857	00	03	71
	457	00	00	16		3913	00	03	65
	460	00	01	44		14305	00	01	35
	459	00	05	43		3909	00	04	06
	480	00	00	45		3910	00	02	37
	481	00	10	13		3911	00	05	65
	520	00	02	23		3926	00	02	22
	521	00	00	70		3927	00	17	98
	522	00	00	72		3933	00	02	78
	523	00	02	83		3932	00	07	15

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
कारन्दा	4279	00	03	64	कारन्दा	5382	00	02	01
	3931	00	01	56		5385	00	00	70
	4278	00	00	68		5386	00	01	49
	4280	00	04	20		5387	00	00	88
	4276	00	01	85		5400	00	03	26
	4275	00	05	22		14302	00	02	61
	4272	00	05	71		5393	00	02	02
	4289	00	00	29		14303	00	00	32
	4273	00	06	88		14294	00	00	93
	4270	00	15	70		5394	00	07	20
	4271	00	04	89		5419	00	01	29
	4267	00	00	52		5423	00	09	88
	14222	00	04	38		5433	00	00	14
	4246	00	02	34		5432	00	04	50
	4253	00	07	57		14236	00	00	21
	4247	00	04	36		5429	00	00	12
	4252	00	05	98		5428	00	04	16
	4251	00	00	89		5427	00	04	33
	4248	00	19	74		5426	00	01	94
	5285	00	05	79		5425	00	11	74
	5238	00	00	27		14221	00	00	10
	5284	00	03	82		5902	00	00	60
	5287	00	00	36		5901	00	02	90
	5281	00	00	24		5813	00	10	63
	5283	00	22	92		13877	00	00	75
	5288	00	00	67		5812	00	07	95
	5282	00	06	66		5811	00	07	68
	5312	00	02	58		5810	00	06	89
	5323	00	17	34		5805	00	02	67
	5329	00	04	21		5557	00	01	36
	5327	00	08	44		5586	00	01	83
	5326	00	07	67		5558	00	03	08
	5368	00	03	27		5802	00	04	80
	5367	00	03	24		5803	00	00	40
	5361	00	02	37		5559	00	02	60
	5365	00	00	49		5563	00	07	71
	5371	00	02	17		5543	00	07	25
	5366	00	04	60		5564	00	00	46
	5372	00	05	30		5542	00	00	58
	5373	00	00	29		5740	00	00	10
	5374	00	00	10		5562	00	00	10
	5377	00	03	00		5565	00	10	38
	5378	00	01	39		5737	00	05	26
	5379	00	01	88		5568	00	03	78
	5380	00	01	34		5736	00	01	40
	5381	00	02	86		5738	00	02	93
						5718	00	00	20

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
कारन्दा	5719	00	07	63	ठोकर	321	00	01	41
	5720	00	02	82		323	00	00	10
	5712	00	03	13		314	00	01	06
	5713	00	00	37		322	00	07	04
	5710	00	11	92		332	00	00	10
	5709	00	00	12		345	00	00	14
	5716	00	02	21		333	00	02	53
	5706	00	00	88		334	00	00	63
	13863	00	01	71		3926	00	02	04
	5704	00	08	91		335	00	01	20
	5705	00	00	25		343	00	01	11
	5703	00	01	27		336	00	01	68
ठोकर	3913	00	05	03		344	00	01	16
	3905	00	07	35		3993	00	01	62
	3910	00	00	23		342	00	03	10
	3906	00	06	87		341	00	03	18
	3907	00	00	27		340	00	04	74
	3899	00	10	88		356	00	02	14
	3855	00	01	30		272	00	00	55
	3900	00	01	06		271	00	01	87
	3942	00	00	10		268	00	02	37
	3941	00	11	30		267	00	01	01
	4176	00	02	11		266	00	01	30
	3831	00	00	10		263	00	00	19
	3830	00	05	77		264	00	02	02
	3829	00	03	32		265	00	00	10
	3828	00	01	18		261	00	00	42
	3827	00	00	10		260	00	02	02
	3621	00	00	10		238	00	00	77
	3622	00	05	70		259	00	01	50
	3623	00	00	37		258	00	00	69
	3624	00	00	77		257	00	02	32
	3620	00	04	58		255	00	00	10
	3617	00	00	10		256	00	02	97
	3618	00	09	40		240	00	02	96
	3616	00	01	42		242	00	03	88
	3615	00	01	28		241	00	02	71
	3631	00	02	07		243	00	03	70
	3613	00	00	70		233	00	04	87
	3612	00	04	64		229	00	10	45
	3610	00	01	78		228	00	00	10
	3611	00	01	71		227	00	10	76
	3767	00	01	65		225	00	00	78
	320	00	05	42		224	00	07	33
	319	00	02	29		150	00	04	39
	318	00	00	10		152	00	10	47

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
ठोकर	153	00	05	17	नुआ	3602	00	00	10
	4194	00	02	04		3605	00	03	86
	137	00	31	91		3604	00	03	70
	133	00	00	10		3607	00	00	50
	138	00	01	77		3608	00	00	89
	3970	00	03	51		5456	00	01	43
	63	00	11	98		3609	00	01	83
	64	00	07	25		3617	00	01	83
	65	00	00	15		3615	00	04	18
	66	00	02	19		3614	00	00	36
	70	00	05	78		2823	00	10	24
	67	00	05	74		3015	00	00	10
	3959	00	00	10		3014	00	00	12
	3958	00	01	69		2824	00	04	07
	47	00	00	19		3011	00	00	38
	46	00	03	32		3012	00	02	95
	29	00	03	70		3010	00	01	50
	27	00	00	10		3036	00	02	84
	43	00	00	10		3008	00	01	16
	30	00	06	36		3037	00	03	64
	31	00	00	34		3007	00	00	24
नुआ	3828	00	01	65		5339	00	05	12
	3825	00	00	35		3038	00	00	10
	3826	00	02	94		3039	00	04	08
	3824	00	00	23		3040	00	05	19
	3821	00	05	46		3043	00	06	85
	3822	00	08	09		3044	00	05	11
	3823	00	00	10		3256	00	01	53
	3677	00	04	98		3059	00	02	80
	3678	00	02	44		3060	00	05	28
	3679	00	03	35		3092	00	00	63
	3680	00	01	39		3091	00	00	80
	3681	00	02	20		3090	00	01	07
	3682	00	01	41		3255	00	00	10
	3700	00	04	00		3088	00	01	87
	3699	00	04	42		3095	00	02	03
	3696	00	02	32		3087	00	01	79
	3697	00	02	41		3096	00	00	12
	3636	00	01	67		3097	00	04	73
	3635	00	01	14		3086	00	01	87
	3637	00	02	70		3098	00	01	81
	3634	00	13	11		3130	00	01	16
	3652	00	00	26		3085	00	01	45
	3632	00	02	06		3131	00	01	31
	3631	00	04	15		3132	00	03	42
	3621	00	00	91		3150	00	06	64

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
नुआ	3151	00	04	07	तकबिडा	3127	00	09	45
	3148	00	05	69		3123	00	00	26
	8147	00	00	10		3122	00	02	45
	3166	00	02	42		3415	00	04	39
	3165	00	00	23		3121	00	03	38
	3167	00	05	06		3120	00	00	10
	3168	00	05	83		3416	00	00	50
	3169	00	00	50		3417	00	02	61
	3170	00	10	40		4291	00	03	78
	5442	00	02	39		3418	00	09	72
	758	00	01	38		3419	00	01	12
तकबिडा	3252	00	03	51		3435	00	01	43
	3251	00	05	79		3434	00	06	34
	3244	00	11	67		4288	00	00	95
	3247	00	00	10		3426	00	10	47
	3245	00	00	32		3038	00	19	86
	4337	00	00	50		3034	00	05	79
	3243	00	00	30		3035	00	02	62
	3242	00	04	61		2795	00	04	20
	3238	00	01	06		2794	00	00	10
	3237	00	06	68		2798	00	03	25
	3236	00	09	95		2797	00	01	95
	3234	00	00	22		2803	00	05	19
	3231	00	00	87		2807	00	00	10
	3233	00	09	59		2802	00	00	44
	3232	00	02	02		2804	00	07	50
	3192	00	02	80		2805	00	03	16
	3181	00	00	20		2806	00	00	10
	3180	00	00	99		2768	00	03	93
	3182	00	07	09		2766	00	01	51
	3178	00	00	33		2765	00	02	30
	3179	00	11	62		2767	00	03	34
	3176	00	06	98		2764	00	04	73
	3174	00	01	87		2761	00	01	38
	3175	00	03	81		2754	00	00	41
	3171	00	00	10		2755	00	03	77
	3170	00	05	26		2756	00	03	58
	3146	00	03	50		2753	00	02	28
	3147	00	00	10		2750	00	06	06
	3145	00	06	46		2751	00	01	42
	3151	00	00	47		2748	00	01	29
	3152	00	00	10		2747	00	00	33
	3139	00	07	48		2746	00	04	75
	4275	00	04	12		2744	00	01	44
	4276	00	10	73		2905	00	02	88
	3128	00	04	77		2906	00	02	47

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
तर्कबिडा	2908	00	00	84	तर्कबिडा	1463	00	04	27
	2907	00	01	72		4384	00	03	72
	2909	00	01	54		1464	00	00	71
	2912	00	02	22		1532	00	04	79
	2913	00	01	50		1529	00	02	33
	2922	00	18	15		1528	00	04	32
	2924	00	00	53		1522	00	03	21
	2929	00	02	23		1519	00	02	75
	2928	00	08	06		1518	00	03	20
	2932	00	02	88		1516	00	00	10
	2927	00	01	13		1515	00	02	29
	2933	00	00	22		1514	00	09	42
	2926	00	01	47		1507	00	00	10
	2524	00	09	59		1499	00	00	10
	2523	00	07	35		1506	00	05	12
	2518	00	00	15		1500	00	00	51
	2520	00	09	89		1501	00	03	09
	2521	00	00	33		1505	00	05	48
	2519	00	01	54		4373	00	00	10
	2190	00	15	02		1504	00	06	34
	2189	00	03	24		1503	00	00	18
	2191	00	00	10		1486	00	06	40
	2173	00	00	10		1488	00	00	79
	2177	00	00	55		1487	00	10	69
	2174	00	00	18	कडला	2147	00	09	23
	2185	00	00	23		2179	00	10	31
	2184	00	00	48		2180	00	04	85
	2183	00	04	98		2178	00	09	22
	2179	00	12	22		2187	00	00	24
	2178	00	06	31		2173	00	00	23
	2181	00	00	81		2191	00	03	58
	2180	00	01	04		2190	00	04	75
	1563	00	00	10		2192	00	00	41
	1565	00	02	00		2193	00	06	77
	1566	00	02	47		2194	00	00	51
	1567	00	02	73		2201	00	04	24
	1570	00	00	10		2200	00	04	54
	1569	00	05	94		2198	00	03	07
	1572	00	03	21		2199	00	03	00
	1573	00	04	63		2139	00	02	36
	1574	00	00	77		2084	00	02	80
	1555	00	04	36		2085	00	00	10
	1553	00	03	94		2083	00	00	10
	1461	00	00	65		2067	00	13	74
	1469	00	13	16		2069	00	03	06
	1462	00	08	05		2070	00	01	24

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
कहला	2068	00	04	01	बडमुण्डा	972	00	06	35
	2021	00	01	21		1493	00	03	76
	2011	00	04	61		973	00	05	29
	2019	00	04	66		981	00	01	01
	2020	00	06	65		979	00	01	59
	1992	00	03	86		978	00	01	49
	2030	00	07	57		980	00	02	39
	2029	00	00	89		977	00	01	86
	2031	00	01	41		976	00	02	35
	1991	00	00	32		467	00	04	12
	2032	00	02	37		466	00	04	93
	2035	00	03	93		464	00	04	29
	2036	00	04	13		1501	00	01	55
	1973	00	05	26		463	00	04	95
	1923	00	03	28		462	00	05	25
	1972	00	07	06		461	00	09	06
	1927	00	00	27		1298	00	06	78
	1928	00	00	45		475	00	04	00
	1931	00	01	92		459	00	11	10
	1971	00	00	64		476	00	08	73
	1932	00	02	37		477	00	02	96
	1935	00	03	04		1365	00	00	85
	1936	00	03	41		1364	00	03	18
	1937	00	10	33		453	00	00	84
	1940	00	04	85		452	00	00	10
	1942	00	03	65		451	00	07	80
	1944	00	01	85		491	00	00	45
	1943	00	01	50		1554	00	02	14
	1945	00	00	16		1380	00	00	10
	1946	00	00	10		141	00	11	61
	1872	00	22	86		142	00	12	88
	1873	00	04	65		139	00	00	78
बडमुण्डा	917	00	00	63		143	00	04	30
	1442	00	07	75		145	00	02	47
	915	00	00	10		158	00	03	52
	1441	00	01	42		157	00	05	20
	1440	00	04	62		124	00	01	36
	1439	00	05	76		126	00	00	40
	1506	00	06	18		131	00	01	47
	914	00	00	15		125	00	04	79
	913	00	05	94		1388	00	00	20
	912	00	04	38		122	00	26	90
	911	00	03	01		97	00	01	41
	970	00	02	40		96	00	04	72
	966	00	00	39		95	00	08	72
	971	00	05	40		91	00	08	51

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
बडमुण्डा	92	00	13	78	पाइकपुरणाकोट	1470	00	00	10
	39	00	03	92		1471	00	05	65
	25	00	00	10		1472	00	03	92
	26	00	04	48		1463	00	03	85
	38	00	00	88		1473	00	03	14
	27	00	07	28		1474	00	01	05
	29	00	00	97		1461	00	07	40
	18	00	02	18		1409	00	02	42
	30	00	03	40		1408	00	01	11
	31	00	03	70		1407	00	00	16
	32	00	00	46		1410	00	02	12
	9	00	06	24		1411	00	00	10
	8	00	04	14		1459	00	05	97
	7	00	00	61		1458	00	01	08
	2	00	03	00		1457	00	07	98
	6	00	00	10		1432	00	00	10
नरहरिपुर	335	00	03	20		1424	00	00	10
	336	00	05	58		1422	00	03	16
	398	00	00	10		1423	00	00	28
	333	00	01	87		1421	00	11	54
	394	00	03	59		1395	00	02	10
	334	00	02	30		1396	00	06	58
	393	00	01	58		2095	00	00	16
	392	00	00	81		1393	00	01	45
	391	00	00	97		1385	00	00	21
	313	00	07	56		1384	00	01	13
	314	00	04	60		1883	00	03	85
	312	00	01	49		1381	00	00	10
	311	00	03	83		1382	00	01	42
	310	00	07	86		1380	00	00	10
	309	00	01	40		1378	00	03	68
	308	00	02	58		1377	00	00	23
	408	00	02	63		1375	00	00	65
पाइकपुरणाकोट	1553	00	02	09		1376	00	05	33
	1554	00	00	10		1122	00	00	10
	1568	00	05	17		1128	00	03	17
	1559	00	01	02		1129	00	06	04
	1567	00	04	81		1130	00	05	38
	1560	00	02	06		1131	00	03	80
	2069	00	02	12		1243	00	02	42
	1562	00	03	88		1244	00	00	54
	1561	00	05	65		1241	00	00	10
	1500	00	04	23		1242	00	04	07
	1498	00	04	77		2056	00	00	22
	1497	00	04	06		1245	00	02	42
	1496	00	04	59		2055	00	03	55

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
पाइकपुरणाकोट	1234	00	08	54	पाइकपुरणाकोट	68	00	02	17
	1233	00	00	78		67	00	02	52
	1406	00	03	40		69	00	02	95
	1247	00	00	10		70	00	03	46
	1249	00	09	30		840	00	14	28
	1248	00	01	52	ब्राह्मणपुरणाकोट	1616	00	10	73
	1252	00	01	59		313	00	00	10
	1251	00	08	82		314	00	03	49
	2125	00	00	10		1693	00	04	22
	1262	00	01	52		315	00	12	60
	2110	00	02	12		317	00	02	65
	253	00	00	10		318	00	05	45
	2108	00	02	52		316	00	21	18
	2109	00	01	40		329	00	10	98
	259	00	11	25		330	00	06	54
	298	00	00	10		350	00	06	90
	260	00	01	43		328	00	00	10
	297	00	04	28		332	00	00	10
	261	00	02	91		327	00	00	10
	262	00	01	64		1646	00	04	15
	265	00	06	12		1647	00	01	63
	267	00	00	10		349	00	08	88
	268	00	00	17		334	00	30	50
	208	00	01	13		335	00	00	10
	269	00	07	33		176	00	06	57
	270	00	01	87		175	00	02	35
	271	00	15	79		177	00	08	94
	272	00	01	20		174	00	04	73
	273	00	02	40		172	00	12	66
	156	00	22	62		171	00	13	40
	157	00	00	10		1618	00	03	57
	2115	00	01	53		167	00	01	47
	155	00	00	95		166	00	09	30
	153	00	09	47		119	00	18	53
	2206	00	01	41		121	00	00	10
	91	00	16	12		122	00	02	08
	96	00	04	50		1825	00	13	85
	92	00	02	16		118	00	08	76
	98	00	03	95		129	00	01	80
	57	00	01	60		117	00	00	65
	89	00	00	10		114	00	19	65
	58	00	04	37		113	00	14	41
	59	00	03	85		1653	00	06	82
	61	00	07	21		1654	00	07	16
	64	00	05	19		50	00	18	47
	63	00	01	56		51	00	03	72

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
ब्राह्मणपुराकोट	52	00	03	08	नण्डेइला	75	00	03	14
	44	00	08	62		74	00	05	63
	37	00	07	51		980	00	00	15
	38	00	04	89	सन्जपडा	3311	00	01	45
	35	00	04	08		3377	00	00	70
	39	00	00	20		3310	00	00	10
	40	00	08	00		3378	00	00	87
नण्डेइलो	1014	00	01	28		3312	00	03	04
	251	00	00	32		3376	00	02	39
	217	00	01	43		3375	00	02	02
	218	00	07	85		3316	00	03	50
	220	00	09	18		3317	00	01	00
	221	00	00	89		3421	00	05	26
	222	00	07	23		3318	00	03	73
	223	00	08	57		3322	00	06	47
	210	00	05	85		3323	00	00	10
	224	00	00	10		3315	00	03	13
	209	00	06	12		3352	00	00	10
	208	00	06	04		3324	00	04	38
	207	00	00	41		3334	00	06	49
	202	00	00	29		3335	00	08	78
	204	00	01	57		3332	00	01	50
	205	00	02	82		3330	00	08	66
	206	00	01	22		3329	00	10	98
	203	00	01	82		3340	00	04	29
	170	00	00	11	पाणघुडुघुडा	800	00	04	19
	171	00	01	18		293	00	07	84
	172	00	04	34		292	00	11	23
	178	00	06	70		36	00	08	84
	177	00	02	46		111	00	00	49
	150	00	05	89		110	00	00	48
	149	00	04	93		105	00	01	26
	148	00	02	04		106	00	07	40
	147	00	03	18		107	00	00	80
	145	00	00	10		104	00	00	39
	146	00	03	82		103	00	00	21
	153	00	03	90		102	00	02	28
	979	00	01	59		122	00	06	34
	111	00	08	83		126	00	01	80
	84	00	01	19		127	00	02	66
	85	00	04	81		128	00	01	99
	86	00	04	64		129	00	06	15
	88	00	03	84		130	00	01	43
	87	00	00	73		131	00	00	10
	89	00	06	26		251	00	02	51
	90	00	00	15		252	00	00	60

(1)	(2)	(3)	(4)	(5)
पाणझुडुझुडा	253	00	00	45
	250	00	03	75
	249	00	00	10
	248	00	02	84
	134	00	06	43
	82	00	00	35
	881	00	00	10
	136	00	01	37
	135	00	02	69
	137	00	00	65
	880	00	01	25
	138	00	00	26
	81	00	02	43
	80	00	02	20
	139	00	01	15
	140	00	02	07
	141	00	07	79
	79	00	00	97
	143	00	00	95
	142	00	01	46
	145	00	04	00
	146	00	00	38
	147	00	07	68
	181	00	00	10
	182	00	05	53
	183	00	03	45
	185	00	03	00
	186	00	03	54
	193	00	02	03
	194	00	02	76
	360	00	02	86
	359	00	05	38
	366	00	03	42
	357	00	02	89
	356	00	00	42
	801	00	00	34
	367	00	03	06
	369	00	00	10
आमना	2385	00	10	02
	2217	00	02	17
	2210	00	26	60
	2192	00	09	39
	2190	00	26	27
	2182	00	26	88
	2179	00	01	88
	626	00	39	65

New Delhi, the 30th December, 2010

S.O. 91.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 673 dated 23-02-2010 issued under sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the land in Tehsil—Hindol, District—Dhenkanal, in Orissa State, specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of Petroleum products from Paradip (Orissa) to Raipur (Chhattisgarh) and Ranchi (Jharkhand) by Indian Oil Corporation Limited;

And whereas, copies of the said notification were made available to the public on 28th April 2010; .

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted his report to the Central Government;

And whereas, the Central Government has after considering the said report, decided to acquire the right of user in the land specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, Central Government hereby directs the right of user in the said land shall instead of vesting in the Central Government, vest on date of publication of this declaration, in Indian Oil Corporation Limited, free from all encumbrances.

SCHEDULE

Tehsil : Hindol District : Dhenkanal State : Orissa

Name of the Village	Plot No.	Area		
		Hectare	Are	Sq. mtr
(1)	(2)	(3)	(4)	(5)
Ganjara	736	00	17	58
	735	00	03	02
	698	00	18	16
	1968	00	01	00
	697	00	01	35
	696	00	08	59
	695	00	06	46
	687	00	02	28
	623	00	16	87
	1824	00	02	98
	622	00	28	33
	621	00	00	82

[फा. सं. आर-25011/1/2010-ओ. आर.-1]

बी. के. दत्ता, अवर सचिव

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Ganjara	620	00	09	37	Brahmaniapal	1966	00	02	25
	618	00	01	08		1967	00	03	43
	617	00	13	91		1968	00	05	74
	613	00	00	14		1976	00	14	25
	129	00	01	50		2054	00	01	89
	122	00	04	86		2038	00	19	16
	99	00	01	53		2039	00	11	32
	98	00	01	56		1133	00	08	12
	96	00	03	30		1134	00	03	68
	95	00	05	49		1132	00	01	79
	94	00	01	11		300	00	00	89
	85	00	04	11		2188	00	00	30
	87	00	11	78		322	00	10	85
	86	00	00	13		325	00	00	50
	88	00	05	18		489	00	07	62
	63	00	00	96		2173	00	10	48
	62	00	04	50		286	00	05	26
	89	00	00	19		284	00	01	23
	64	00	00	66		287	00	04	54
	61	00	05	08		283	00	04	23
	7	00	01	85		282	00	00	14
	8	00	00	56		280	00	01	08
	9	00	03	26		275	00	02	33
	60	00	00	20		276	00	04	60
	58	00	05	60		277	00	01	70
	56	00	04	70		278	00	00	10
	1902	00	01	25		270	00	06	75
	15	00	16	57		263	00	01	84
	14	00	00	53		262	00	00	58
	16	00	02	30		261	00	00	27
	17	00	02	77		260	00	09	46
	19	00	00	11		258	00	00	10
	27	00	01	10		2135	00	11	90
Brahmaniapal	1901	00	12	17		223	00	00	41
	1905	00	03	89		222	00	03	05
	1906	00	04	33		221	00	01	49
	1917	00	00	35		208	00	05	22
	1939	00	12	72		207	00	18	77
	1955	00	10	08		206	00	10	37
	1958	00	04	07		205	00	07	92
	1959	00	09	61		204	00	00	10
	1961	00	00	12		202	00	05	77
	1962	00	05	48		201	00	05	06
	1963	00	03	60		200	00	03	28
	1964	00	04	67		198	00	05	40
	1965	00	05	08		197	00	01	92

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Brahmaniapal	196	00	00	36	Brahmaniapal	2205	00	09	82
	195	00	00	33		20	00	10	67
	185	00	00	10		2187	00	07	30
	184	00	02	20		12	00	10	77
	183	00	07	47		11	00	02	28
	180	00	00	10		1	00	60	95
	186	00	03	67	Bampha	2063	00	42	74
	182	00	02	80		2060	00	18	41
	178	00	06	21		2048	00	10	04
	177	00	07	02		2050	00	00	10
	146	00	07	84		2039	00	11	26
	145	00	00	57		1934	00	06	16
	147	00	04	63		1935	00	15	25
	148	00	10	94		1941	00	04	12
	149	00	04	74		1937	00	04	45
	150	00	03	42		1940	00	5	17
2184	00	00	15			1939	00	01	35
135	00	02	81			2328	00	01	85
134	00	02	62			1945	00	01	42
122	00	02	26			1850	00	00	10
133	00	01	52			1849	00	01	42
132	00	03	20			1848	00	01	59
131	00	01	11			1847	00	03	04
124	00	00	67			1853	00	14	80
125	00	02	60			1854	00	00	10
126	00	00	10			1844	00	00	80
123	00	00	10			1825	00	02	37
100	00	02	34			1824	00	08	75
101	00	02	71			1823	00	01	03
104	00	03	00			1829	00	07	02
103	00	02	56			1833	00	02	48
102	00	02	03			1832	00	09	14
58	00	00	28			1831	00	00	34
60	00	06	25			1811	00	02	13
61	00	03	11			1788	00	00	71
59	00	00	27			1713	00	04	80
55	00	07	91			1712	00	03	43
54	00	09	87			1711	00	05	09
53	00	05	32			1710	00	03	41
50	00	00	87			1707	00	04	59
51	00	00	56			1709	00	02	75
52	00	00	77			313	00	09	56
44	00	21	88			311	00	00	10
29	00	13	36			70	00	13	53
30	00	17	17			71	00	00	29
24	00	05	17			2291	00	01	01

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Bampha	75	00	00	10	Bhingira	433	00	02	06
	68	00	03	00		434	00	05	54
	67	00	11	42		427	00	03	22
	66	00	00	43		435	00	03	90
	83	00	08	35		406	00	00	78
	90	00	04	50		426	00	04	85
	86	00	10	97		425	00	02	24
	85	00	06	77		407	00	02	95
	59	00	00	10		422	00	08	16
	87	00	01	25		408	00	03	22
	55	00	07	94		421	00	04	35
	54	00	04	55		420	00	04	64
	50	00	00	50		409	00	04	27
	36	00	00	10		410	00	02	98
	12	00	07	20		411	00	02	80
	2333	00	35	65		881	00	01	21
	2334	00	02	31		817	00	02	39
	10	00	67	84		915	00	00	10
	2285	00	41	37		310	00	02	45
	2284	00	47	48		146	00	11	02
	2265	00	09	02		145	00	00	20
	2271	00	00	10		147	00	12	27
Bhingira	531	00	08	93		135	00	21	36
	530	00	06	04		137	00	00	25
	529	00	06	25		136	00	01	41
	528	00	15	34		118	00	01	08
	526	00	04	54		117	00	07	71
	525	00	01	41		116	00	21	93
	524	00	00	10		112	00	04	24
	523	00	11	96		114	00	08	04
	519	00	06	34		3	00	01	44
	517	00	03	94		2	00	01	21
	515	00	14	29	Bramhapur	3057	00	01	21
	514	00	10	96		2670	00	02	05
	513	00	03	39		3095	00	02	45
	512	00	07	92		2671	00	07	77
	901	00	03	83		2672	00	03	26
	511	00	01	19		2669	00	00	10
	494	00	08	22		3101	00	13	79
	495	00	01	43		2668	00	03	51
	490	00	00	94		2661	00	03	06
	447	00	19	06		2659	00	02	24
	445	00	20	34	Khandatiri	3309	00	00	77
	444	00	02	65		3308	00	01	95
	443	00	21	03		3307	00	08	15
	442	00	00	10		3305	00	10	65

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Khandatiri	3295	00	05	52	Khandatiri	713	00	06	09
	3296	00	00	17		775	00	02	72
	3297	00	04	17		781	00	02	94
	3299	00	03	89		780	00	05	48
	3300	00	00	10		778	00	01	33
	3291	00	00	39		779	00	04	05
	3290	00	00	87		776	00	07	14
	3289	00	01	76		1103	00	09	58
	398	00	05	26		1104	00	01	48
	399	00	04	98	Giridharaprasad	198	00	01	11
	391	00	00	19		199	00	24	47
	3738	00	21	25		228	00	02	02
	295	00	01	99		227	00	01	80
	371	00	01	78		229	00	07	24
	368	00	19	62		226	00	01	31
	369	00	05	27		230	00	05	72
	3715	00	01	67		225	00	01	48
	370	00	04	54		272	00	02	70
	576	00	01	83		435	00	08	71
	575	00	03	49		438	00	03	67
	573	00	04	32		436	00	02	71
	574	00	02	17		430	00	01	37
	569	00	13	98		437	00	03	58
	564	00	00	86		429	00	00	64
	565	00	00	10		428	00	03	01
	566	00	04	92		426	00	03	30
	548	00	14	98		427	00	02	10
	543	00	00	10		425	00	00	43
	545	00	01	77		451	00	03	81
	546	00	01	73		450	00	00	10
	547	00	02	56		452	00	02	54
	696	00	00	19		454	00	00	10
	698	00	04	70		453	00	03	62
	697	00	04	84		421	00	06	07
	699	00	00	10		457	00	00	16
	700	00	00	10		460	00	01	44
	690	00	04	91		459	00	05	43
	689	00	01	12		480	00	00	45
	686	00	01	27		481	00	10	13
	687	00	07	19		520	00	02	23
	707	00	06	81		521	00	00	70
	680	00	00	10		522	00	00	72
	708	00	07	29		523	00	02	83
	709	00	04	84		524	00	01	83
	714	00	02	36		519	00	00	46
	3807	00	04	35		517	00	00	10

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Giridharaprasad	516	00	03	74	Karanda	4280	00	04	20
	514	00	05	74		4276	00	01	85
	495	00	00	10		4275	00	05	22
	513	00	03	02		4272	00	05	71
	512	00	00	10		4289	00	00	29
	496	00	05	58		4273	00	06	88
	498	00	01	41		4270	00	15	70
	500	00	14	66		4271	00	04	89
	3646	00	00	96		4267	00	00	52
	501	00	03	88		14222	00	04	38
	1	00	04	32		4246	00	02	34
Karanda	3831	00	05	10		4253	00	07	57
	3802	00	02	96		4247	00	04	36
	3804	00	06	61		4252	00	05	98
	3805	00	01	77		4251	00	00	89
	3803	00	00	70		4248	00	19	74
	3808	00	02	95		5285	00	05	79
	3807	00	00	10		5238	00	00	27
	3809	00	02	63		5284	00	03	82
	3797	00	00	82		5287	00	00	36
	3815	00	00	41		5281	00	00	24
	3796	00	00	30		5283	00	22	92
	3817	00	04	37		5288	00	00	67
	3816	00	01	00		5282	00	06	66
	3837	00	01	69		5312	00	02	58
	3864	00	06	79		5323	00	17	34
	3867	00	00	52		5329	00	04	21
	3865	00	02	11		5327	00	08	44
	3866	00	01	35		5326	00	07	67
	3861	00	02	25		5368	00	03	27
	3862	00	01	86		5367	00	03	24
	3859	00	04	98		5361	00	02	37
	3858	00	00	20		5365	00	00	49
	3857	00	03	71		5371	00	02	17
	3913	00	03	65		5366	00	04	60
	14305	00	01	35		5372	00	05	30
	3909	00	04	06		5373	00	00	29
	3910	00	02	37		5374	00	00	10
	3911	00	05	65		5377	00	03	00
	3926	00	02	22		5378	00	01	39
	3927	00	17	98		5379	00	01	88
	3933	00	02	78		5380	00	01	34
	3932	00	07	15		5381	00	02	86
	4279	00	03	64		5382	00	02	01
	3931	00	01	56		5385	00	00	70
	4278	00	00	68		5386	00	01	49

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Karanda	5387	00	00	88	Karanda	13863	00	01	71
	5400	00	03	26		5704	00	08	91
	14302	00	02	61		5705	00	00	25
	5393	00	02	02		5703	00	01	27
	14303	00	00	32	Thokara	3913	00	05	03
	14294	00	00	93		3905	00	07	35
	5394	00	07	20		3910	00	00	23
	5419	00	01	29		3906	00	06	87
	5423	00	09	88		3907	00	00	27
	5433	00	00	14		3899	00	10	88
	5432	00	04	50		3855	00	01	30
	14236	00	00	21		3900	00	01	06
	5429	00	00	12		3942	00	00	10
	5428	00	04	16		3941	00	11	30
	5427	00	04	33		4176	00	02	11
	5426	00	01	94		3831	00	00	10
	5425	00	11	74		3830	00	05	77
	14221	00	00	10		3829	00	03	32
	5902	00	00	60		3828	00	01	18
	5901	00	02	90		3827	00	00	10
	5813	00	10	63		3621	00	00	10
	13877	00	00	75		3622	00	05	70
	5812	00	07	95		3623	00	00	37
	5811	00	07	68		3624	00	00	77
	5810	00	06	89		3620	00	04	58
	5805	00	02	67		3617	00	00	10
	5557	00	01	36		3618	00	09	40
	5586	00	01	83		3616	00	01	42
	5558	00	03	08		3615	00	01	28
	5802	00	04	80		3631	00	02	07
	5803	00	00	40		3613	00	00	70
	5559	00	02	60		3612	00	04	64
	5563	00	07	71		3610	00	01	78
	5543	00	07	25		3611	00	01	71
	5564	00	00	46		3767	00	01	65
	5542	00	00	58		320	00	05	42
	5740	00	00	10		319	00	02	29
	5562	00	00	10		318	00	00	10
	5565	00	10	38		321	00	01	41
	5737	00	05	26		323	00	00	10
	5568	00	03	78		314	00	01	06
	5736	00	01	40		322	00	07	04
	5738	00	02	93		332	00	00	10
	5718	00	00	20		345	00	00	14
	5719	00	07	63		333	00	02	53
	5720	00	02	82		334	00	00	63
	5712	00	03	13		3926	00	02	04
	5713	00	00	37		335	00	01	20
	5710	00	11	92		343	00	01	11
	5709	00	00	12		336	00	01	68
	5716	00	02	21		344	00	01	16
	5706	00	00	88		3993	00	01	62

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Thokara	342	00	03	10	Nua	3828	00	01	65
	341	00	03	18		3825	00	00	35
	340	00	04	74		3826	00	02	94
	356	00	02	14		3824	00	00	23
	272	00	00	55		3821	00	05	46
	271	00	01	87		3822	00	08	09
	268	00	02	37		3823	00	00	10
	267	00	01	01		3677	00	04	98
	266	00	01	30		3678	00	02	44
	263	00	00	19		3679	00	03	35
	264	00	02	02		3680	00	01	39
	265	00	00	10		3681	00	02	20
	261	00	00	42		3682	00	01	41
	260	00	02	02		3700	00	04	00
	238	00	00	77		3699	00	04	42
	259	00	01	50		3696	00	02	32
	258	00	00	69		3697	00	02	41
	257	00	02	32		3636	00	01	67
	255	00	00	10		3635	00	01	14
	256	00	02	97		3637	00	02	70
	240	00	02	96		3634	00	13	11
	242	00	03	88		3652	00	00	26
	241	00	02	71		3632	00	02	06
	243	00	03	70		3631	00	04	15
	233	00	04	87		3621	00	08	91
	229	00	10	45		3602	00	08	10
	228	00	00	10		3605	00	03	86
	227	00	10	76		3604	00	08	70
	225	00	00	78		3607	00	08	50
	224	00	07	33		3608	00	00	89
	150	00	04	39		5456	00	01	43
	152	00	10	47		3609	00	01	83
	153	00	05	17		3617	00	01	83
	4194	00	02	04		3615	00	04	18
	137	00	31	91		3614	00	00	36
	133	00	00	10		2823	00	10	24
	138	00	01	77		3015	00	00	10
	3970	00	03	51		3014	00	00	12
	63	00	11	98		2824	00	04	07
	64	00	07	25		3011	00	00	38
	65	00	00	19		3012	00	02	95
	66	00	02	19		3010	00	01	50
	70	00	05	78		3036	00	02	84
	67	00	05	74		3008	00	01	16
	3959	00	00	10		3037	00	03	64
	3958	00	01	69		3007	00	00	24
	47	00	00	19		5339	00	05	12
	46	00	03	32		3038	00	00	10
	29	00	03	70		3039	00	04	08
	27	00	00	10		3040	00	05	19
	43	00	00	10		3043	00	06	85
	30	00	06	36		3044	00	05	11
	31	00	00	34					

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Nua	3256	00	01	53	Tarkabeda	3174	00	01	87
	3059	00	02	80		3175	00	03	81
	3060	00	05	28		3171	00	00	10
	3092	00	00	63		3170	00	05	26
	3091	00	00	80		3146	00	03	50
	3090	00	01	07		3147	00	00	10
	3255	00	00	10		3145	00	06	46
	3088	00	01	87		3151	00	00	47
	3095	00	02	03		3152	00	00	10
	3087	00	01	79		3139	00	07	48
	3096	00	00	12		4275	00	04	12
	3097	00	04	73		4276	00	10	73
	3086	00	01	87		3128	00	04	77
	3098	00	01	81		3127	00	09	45
	3130	00	01	16		3123	00	00	26
	3085	00	01	45		3122	00	02	45
	3131	00	01	31		3415	00	04	39
	3132	00	03	42		3121	00	03	38
	3150	00	06	64		3120	00	00	10
	3151	00	04	07		3416	00	00	50
	3148	00	05	69		3417	00	02	61
	3147	00	00	10		4291	00	03	78
	3166	00	02	42		3418	00	09	72
	3165	00	00	23		3419	00	01	12
	3167	00	05	06		3435	00	01	43
	3168	00	05	83		3434	00	06	34
	3169	00	00	50		4288	00	00	95
	3170	00	10	40		3426	00	10	47
	5442	00	02	39		3038	00	19	86
	758	00	01	38		3034	00	05	79
Tarkabeda	3252	00	03	51		3035	00	02	62
	3251	00	05	79		2795	00	04	20
	3244	00	11	67		2794	00	00	10
	3247	00	00	10		2798	00	03	25
	3245	00	00	32		2797	00	01	95
	4337	00	00	50		2803	00	05	19
	3243	00	00	30		2807	00	00	10
	3242	00	04	61		2802	00	00	44
	3238	00	01	06		2804	00	07	50
	3237	00	06	68		2805	00	03	16
	3236	00	09	95		2806	00	00	10
	3234	00	00	22		2768	00	03	93
	3231	00	00	87		2766	00	01	51
	3233	00	09	59		2765	00	02	30
	3232	00	02	02		2767	00	03	34
	3192	00	02	80		2764	00	04	73
	3181	00	00	20		2761	00	01	38
	3180	00	00	99		2754	00	00	41
	3182	00	07	09		2755	00	03	77
	3178	00	00	33		2756	00	03	58
	3179	00	11	62		2753	00	02	28
	3176	00	06	98		2750	00	06	06

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Tarkabeda	2751	00	01	42	Tarkabeda	1462	00	08	05
	2748	00	01	29		1463	00	04	27
	2747	00	00	33		4384	00	03	72
	2746	00	04	75		1464	00	00	71
	2744	00	01	44		1532	00	04	79
	2905	00	02	88		1529	00	02	33
	2906	00	02	47		1528	00	04	32
	2908	00	00	84		1522	00	03	21
	2907	00	01	72		1519	00	02	75
	2909	00	01	54		1518	00	03	20
	2912	00	02	22		1516	00	00	10
	2913	00	01	50		1515	00	02	29
	2922	00	18	15		1514	00	09	42
	2924	00	00	53		1507	00	00	10
	2929	00	02	23		1499	00	00	10
	2928	00	08	06		1506	00	05	12
	2932	00	02	88		1500	00	00	51
	2927	00	01	13		1501	00	03	09
	2933	00	00	22		1505	00	05	48
	2926	00	01	47		4373	00	00	10
	2524	00	09	59		1504	00	06	34
	2523	00	07	35		1503	00	00	18
	2518	00	00	15		1486	00	06	40
	2520	00	09	89		1488	00	00	79
	2521	00	00	33		1487	00	10	69
	2519	00	01	54	Kadala	2147	00	09	23
	2190	00	15	02		2179	00	10	31
	2189	00	03	24		2180	00	04	85
	2191	00	00	10		2178	00	09	22
	2173	00	00	10		2187	00	00	24
	2177	00	00	55		2173	00	00	23
	2174	00	00	18		2191	00	03	58
	2185	00	00	23		2190	00	04	75
	2184	00	00	48		2192	00	00	41
	2183	00	04	98		2193	00	06	77
	2179	00	12	22		2194	00	00	51
	2178	00	06	31		2201	00	04	24
	2181	00	00	81		2200	00	04	54
	2180	00	01	04		2198	00	03	07
	1563	00	00	10		2199	00	03	00
	1565	00	02	00		2139	00	02	36
	1566	00	02	47		2084	00	02	80
	1567	00	02	73		2085	00	00	10
	1570	00	00	10		2083	00	00	10
	1569	00	05	94		2067	00	13	74
	1572	00	03	21		2069	00	03	06
	1573	00	04	63		2070	00	01	24
	1574	00	00	77		2068	00	04	01
	1555	00	04	36		2021	00	01	21
	1553	00	03	94		2011	00	04	61
	1461	00	00	65		2019	00	04	66
	1469	00	13	16		2020	00	06	65

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Kadala	1992	00	03	86	Badamunda	464	00	04	29
	2030	00	07	57		1501	00	01	55
	2029	00	00	89		463	00	04	95
	2031	00	01	41		462	00	05	25
	1991	00	00	32		461	00	09	06
	2032	00	02	37		1298	00	06	78
	2035	00	03	93		475	00	04	00
	2036	00	04	13		459	00	11	10
	1973	00	05	26		476	00	08	73
	1923	00	03	28		477	00	02	96
	1972	00	07	06		1365	00	00	85
	1927	00	00	27		1364	00	03	18
	1928	00	00	45		453	00	00	84
	1931	00	01	92		452	00	00	10
	1971	00	00	64		451	00	07	80
	1932	00	02	37		491	00	00	45
	1935	00	03	04		1554	00	02	14
	1936	00	03	41		1380	00	00	10
	1937	00	10	33		141	00	11	61
	1940	00	04	85		142	00	12	88
	1942	00	03	65		139	00	00	78
	1944	00	01	85		143	00	04	30
	1943	00	01	50		145	00	02	47
	1945	00	00	16		158	00	03	52
	1946	00	00	10		157	00	05	20
	1872	00	22	86		124	00	01	36
	1873	00	04	65		126	00	00	40
Badamunda	917	00	00	63		131	00	01	47
	1442	00	07	75		125	00	04	79
	915	00	00	10		1388	00	00	20
	1441	00	01	42		122	00	26	90
	1440	00	04	62		97	00	01	41
	1439	00	05	76		96	00	04	72
	1506	00	06	18		95	00	08	72
	914	00	00	15		91	00	08	51
	913	00	05	94		92	00	13	78
	912	00	04	38		39	00	03	92
	911	00	03	01		25	00	00	10
	970	00	02	40		26	00	04	48
	966	00	00	39		38	00	00	88
	971	00	05	40		27	00	07	28
	972	00	06	35		29	00	00	97
	1493	00	03	76		18	00	02	18
	973	00	05	29		30	00	03	40
	981	00	01	01		31	00	03	70
	979	00	01	59		32	00	00	46
	978	00	01	49		9	00	06	24
	980	00	02	39		8	00	04	14
	977	00	01	86		7	00	00	61
	976	00	02	35		2	00	03	00
	467	00	04	12		6	00	00	10
	466	00	04	93	Naraharipur	335	00	03	30

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Naraharipur	336	00	05	58	Paikpurunakota	1393	00	01	45
	398	00	00	10		1385	00	00	21
	333	00	01	87		1384	00	01	13
	394	00	03	59		1883	00	03	85
	334	00	02	30		1381	00	00	10
	393	00	01	58		1382	00	01	42
	392	00	00	81		1380	00	00	10
	391	00	00	97		1378	00	03	68
	313	00	07	56		1377	00	00	23
	314	00	04	60		1375	00	00	65
	312	00	01	49		1376	00	05	33
	311	00	03	83		1122	00	00	10
	310	00	07	86		1128	00	03	17
	309	00	01	40		1129	00	06	04
	308	00	02	58		1130	00	05	38
	408	00	02	63		1131	00	03	80
Paikpurunakota	1553	00	02	09		1243	00	02	42
	1554	00	00	10		1244	00	00	54
	1568	00	05	17		1241	00	00	10
	1559	00	01	02		1242	00	04	07
	1567	00	04	81		2056	00	00	22
	1560	00	02	06		1245	00	02	42
	2069	00	02	12		2055	00	03	55
	1562	00	03	88		1234	00	08	54
	1561	00	05	65		1233	00	00	78
	1500	00	04	23		1406	00	03	40
	1498	00	04	77		1247	00	00	10
	1497	00	04	06		1249	00	09	30
	1496	00	04	59		1248	00	01	52
	1470	00	00	10		1252	00	01	59
	1471	00	05	65		1251	00	08	82
	1472	00	03	92		2125	00	00	10
	1463	00	03	85		1262	00	01	52
	1473	00	03	14		2110	00	02	12
	1474	00	01	05		253	00	00	10
	1461	00	07	40		2108	00	02	52
	1409	00	02	42		2109	00	01	40
	1408	00	01	11		259	00	11	25
	1407	00	00	16		298	00	00	10
	1410	00	02	12		260	00	01	43
	1411	00	00	10		297	00	04	28
	1459	00	05	97		261	00	02	91
	1458	00	01	08		262	00	01	64
	1457	00	07	98		265	00	06	12
	1432	00	00	10		267	00	00	10
	1424	00	00	10		268	00	00	17
	1422	00	03	16		208	00	01	13
	1423	00	00	28		269	00	07	33
	1421	00	11	54		270	00	01	87
	1395	00	02	10		271	00	15	79
	1396	00	06	58		272	00	01	20
	2095	00	00	16		273	00	02	40

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Paikpurunakota	156	00	22	62	Brahmanpurunakot	122	00	02	08
	157	00	00	10		1825	00	13	85
	2115	00	01	53		118	00	08	76
	155	00	00	95		129	00	01	80
	153	00	09	47		117	00	00	65
	2206	00	01	41		114	00	19	65
	91	00	16	12		113	00	14	41
	96	00	04	50		1653	00	06	82
	92	00	02	16		1654	00	07	16
	98	00	03	95		50	00	18	47
	57	00	01	60		51	00	03	72
	89	00	00	10		52	00	03	08
	58	00	04	37		44	00	08	62
	99	00	03	85		37	00	07	51
	61	00	07	21		38	00	04	89
	64	00	05	19		35	00	04	08
	63	00	01	56		39	00	00	20
	68	00	02	17		40	00	08	00
	67	00	02	52	Nandeilo	1014	00	01	28
	69	00	02	95		251	00	00	32
	70	00	03	46		217	00	01	43
	840	00	14	28		218	00	07	85
Brahmanpurunakot	1616	00	10	73		220	00	09	18
	313	00	00	10		221	00	00	89
	314	00	03	49		222	00	07	23
	1693	00	04	22		223	00	08	57
	315	00	12	60		210	00	05	85
	317	00	02	65		224	00	00	10
	318	00	05	45		209	00	06	12
	316	00	21	18		208	00	06	04
	329	00	10	98		207	00	00	41
	330	00	06	54		202	00	00	29
	350	00	06	90		204	00	01	57
	328	00	00	10		205	00	02	82
	332	00	00	10		206	00	01	22
	327	00	00	10		203	00	01	82
	1646	00	04	15		170	00	00	11
	1647	00	01	63		171	00	01	18
	349	00	08	88		172	00	04	34
	334	00	30	50		178	00	06	70
	335	00	00	10		177	00	02	46
	176	00	06	57		150	00	05	89
	175	00	02	35		149	00	04	93
	177	00	08	94		148	00	02	04
	174	00	04	73		147	00	03	18
	172	00	12	66		145	00	00	10
	171	00	13	40		146	00	03	82
	1618	00	03	57		153	00	03	90
	167	00	01	47		979	00	01	59
	166	00	09	30		111	00	08	83
	119	00	18	53		84	00	01	19
	121	00	03	10		85	00	04	81

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Nandeilo	86	00	04	64	Panaghudughuda	252	00	00	60
	88	00	03	84		253	00	00	45
	87	00	00	73		250	00	03	75
	89	00	06	26		249	00	00	10
	90	00	00	15		248	00	02	84
	75	00	03	14		134	00	06	43
	74	00	05	63		82	00	00	35
	980	00	00	15		881	00	00	10
Sanjapada	3311	00	01	45		136	00	01	37
	3377	00	00	70		135	00	02	69
	3310	00	00	10		137	00	00	65
	3378	00	00	87		880	00	01	25
	3312	00	03	04		138	00	00	26
	3376	00	02	39		81	00	02	43
	3375	00	02	02		80	00	02	20
	3316	00	03	50		139	00	01	15
	3317	00	01	00		140	00	02	07
	3421	00	05	26		141	00	07	79
	3318	00	03	73		79	00	00	97
	3322	00	06	47		143	00	00	95
	3323	00	00	10		142	00	01	46
	3315	00	03	13		145	00	04	00
	3352	00	00	10		146	00	00	38
	3324	00	04	38		147	00	07	68
	3334	00	06	49		181	00	00	10
	3335	00	08	78		182	00	05	53
	3332	00	01	50		183	00	03	45
	3330	00	08	66		185	00	03	00
	3329	00	10	98		186	00	03	54
	3340	00	04	29		193	00	02	03
Panaghudughuda	800	00	04	19		194	00	02	76
	293	00	07	84		360	00	02	86
	292	00	11	23		359	00	05	38
	36	00	08	84		366	00	03	42
	111	00	00	49		357	00	02	89
	110	00	00	48		356	00	00	42
	105	00	01	26		801	00	00	34
	106	00	07	40		367	00	03	06
	107	00	00	80		369	00	00	10
	104	00	00	39	Amana	2385	00	10	02
	103	00	00	21		2217	00	02	17
	102	00	02	28		2210	00	26	60
	122	00	06	34		2192	00	09	39
	126	00	01	80		2190	00	26	27
	127	00	02	66		2182	00	26	88
	128	00	01	99		2179	00	01	88
	129	00	06	15		626	00	39	65
	130	00	01	43					
	131	00	00	10					
	251	00	02	51					

नई दिल्ली, 30 दिसम्बर, 2010

का.आ. 92.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. 162 तारीख 11 जनवरी, 2010 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उड़ीसा राज्य की तहसील : ओडपड़ा, जिला : देन्कानाल की भूमि में, पारादीप-सम्बलपुर-रायपुर-राँची पाइपलाइन परियोजना के कार्यान्वयन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा उड़ीसा राज्य में पारादीप से रायपुर (छत्तीसगढ़) एवं राँची (झारखण्ड) तक पेट्रोलियम उत्पादों के परिवहन के लिए पाइपलाइन बिछाने हेतु उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त अधिसूचना की प्रतियाँ जनता को तारीख 26 जनवरी, 2010 को उपलब्ध करा दी गई थी;

और उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग के अधिकार का अर्जित किया जाना है;

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख को केन्द्रीय सरकार में निहित होने की बजाए, सभी विल्लंगमों से मुक्त हो कर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील-ओडपड़ा जिला-देन्कानाल राज्य-उड़ीसा

गांव का नाम	प्लॉट नं.	क्षेत्रफल
		हेक्टेयर एयर वर्ग मीटर

1	2	3	4	5
कोरेहिगाडिआ	1048	00	04	97
	832	00	04	34
	1046	00	00	31
	833	00	00	90
	831	00	05	94
	830	00	01	63

1	2	3	4	5
कोरेहिगाडिआ	835	00	00	56
	836	00	02	60
	846	00	03	52
	844	00	05	87
	843	00	03	56
	842	00	00	29
	858	00	00	32
	861	00	04	12
	862	00	00	96
	860	00	04	09
	868	00	00	55
	867	00	05	93
	866	00	01	57
	870	00	03	39
	871	00	02	35
	646	00	03	67
	645	00	00	99
	644	00	08	86
	651	00	01	76
	642	00	07	57
	641	00	04	05
	638	00	02	49
	632	00	06	25
	635	00	05	57
	634	00	01	34
	421	00	05	90
	636	00	00	10
	422	00	01	22
	423	00	01	06
	424	00	06	15
	1100	00	00	10
	427	00	02	33
	425	00	00	25
	426	00	01	16
	419	00	01	90
	418	00	01	10
	430	00	01	76
	1065	00	14	34
	145	00	05	78
	146	00	00	40
	144	00	03	41

1	2	3	4	5	1	2	3	4	5
कोरेहिगाडिआ	143	00	01	00	पालसुघा	160	00	00	13
	142	00	02	53		200	00	02	05
	138	00	11	55		163	00	02	31
	134	00	00	91		192	00	00	20
	133	00	04	37		164	00	02	59
	1049	00	03	05		162	00	00	10
पालसुघा	385	00	02	95		166	00	00	87
	441	00	00	10		165	00	00	76
	337	00	00	10		167	00	01	21
	336	00	05	33		179	00	00	20
	335	00	03	38		168	00	00	22
	442	00	02	93		178	00	03	76
	316	00	01	27		177	00	02	54
	393	00	00	22		182	00	02	09
	314	00	00	10		397	00	01	73
	306	00	02	45		175	00	00	10
	307	00	04	30		183	00	00	92
	312	00	00	42		184	00	00	92
	308	00	13	69	इन्दिपुरा	4331	00	02	43
	310	00	00	10		2515	00	00	20
	309	00	03	72		4332	00	04	80
	251	00	01	88		2407	00	02	52
	246	00	00	10		2405	00	01	32
	250	00	01	64		4328	00	02	00
	252	00	00	46		2512	00	00	10
	249	00	00	16		2419	00	02	35
	253	00	11	34		2420	00	00	10
	260	00	00	10		2418	00	13	55
	254	00	03	87		2421	00	12	07
	258	00	00	82		2422	00	00	17
	392	00	01	20		2426	00	01	53
	256	00	02	28		2427	00	02	00
	204	00	03	09		2439	00	04	35
	209	00	00	10		2434	00	02	43
	205	00	02	84		2433	00	01	45
	206	00	00	54		4447	00	03	21
	202	00	00	96		2463	00	04	86
	207	00	03	15		2435	00	03	61
	199	00	00	39		2462	00	00	10
	201	00	03	68		2442	00	05	42

1	2	3	4	5	1	2	3	4	5
इन्दिपुर	2441	00	07	36	इन्दिपुर	1331	00	03	46
	2377	00	01	87		1329	00	05	27
	1153	00	01	48		1328	00	00	52
	1154	00	02	36		1336	00	03	70
	4236	00	02	06		1340	00	00	10
	1155	00	03	34		1339	00	05	25
	1160	00	07	44		1338	00	00	94
	1161	00	00	40		1386	00	02	39
	1159	00	03	78		124	00	00	75
	1175	00	06	21		1387	00	02	02
	4047	00	06	36		1367	00	00	46
	1217	00	01	48		125	00	00	47
	1218	00	06	84		4233	00	00	10
	1219	00	00	40		123	00	01	61
	4302	00	00	60		122	00	00	20
	4301	00	00	10		120	00	00	26
	1220	00	06	00		126	00	00	60
	1221	00	02	42		119	00	06	17
	1222	00	01	37		135	00	00	40
	1224	00	07	63		121	00	00	10
	4205	00	01	12		4417	00	00	55
	1231	00	00	21		118	00	03	20
	1223	00	01	86		4429	00	00	72
	1232	00	02	79		4209	00	02	54
	1236	00	00	19		137	00	00	75
	1235	00	04	92		84	00	04	87
	1234	00	00	24		83	00	02	12
	1266	00	00	38		82	00	05	71
	1265	00	04	55		22	00	00	43
	4435	00	02	02		24	00	04	25
	1268	00	04	51		23	00	00	10
	1267	00	00	10		74	00	03	90
	1269	00	00	30		25	00	04	48
	1284	00	00	80		34	00	02	31
	1270	00	00	25		33	00	00	50
	1283	00	02	40		35	00	03	63
	1285	00	00	95		39	00	01	03
	1282	00	02	12		36	00	01	01
	1286	00	04	21		38	00	09	34
	1330	00	00	48		37	00	00	10

1	2	3	4	5	1	2	3	4	5
इन्दिपुर	12	00	14	73	नुणि	1121	00	01	49
	13	00	00	20		146	00	00	39
नुणि	82	00	00	53		145	00	02	77
	81	00	00	40		155	00	03	89
	83	00	05	15		157	00	01	85
	86	00	00	94		156	00	01	48
	85	00	02	59		167	00	00	17
	84	00	01	41		168	00	02	02
	92	00	03	77		1131	00	00	48
	93	00	01	11		164	00	00	48
	100	00	01	37		252	00	00	41
	96	00	00	44		169	00	02	02
	99	00	01	72		170	00	02	21
	97	00	00	10		250	00	02	58
	98	00	02	09		171	00	01	59
	109	00	01	66		249	00	02	02
	108	00	00	87		248	00	00	10
	110	00	00	79		247	00	00	14
	111	00	00	10		187	00	00	83
	107	00	01	97		185	00	01	33
	112	00	05	77		186	00	01	62
	113	00	01	71		188	00	00	19
	116	00	00	10		192	00	02	31
	114	00	01	11		191	00	00	31
	115	00	01	80		216	00	01	89
	133	00	00	10		217	00	02	08
	132	00	04	15		213	00	00	98
	131	00	02	42		206	00	00	10
	129	00	00	10		207	00	01	69
	130	00	00	70		208	00	02	28
	134	00	00	10		212	00	01	43
	135	00	05	17		211	00	02	02
	125	00	00	66		209	00	00	41
	139	00	01	13		210	00	01	62
	138	00	00	79		220	00	00	82
	140	00	02	06	डोंगबोरेइ	1473	00	00	10
	141	00	00	10		1472	00	02	93
	148	00	02	92		1469	00	02	33
	142	00	01	21		1468	00	00	32
	144	00	02	53		1471	00	00	56

1	2	3	4	5	1	2	3	4	5
डॅंगबोरेड	1470	00	02	02	बेडा	463	00	00	84
	1467	00	02	01		458	00	01	10
	1461	00	03	73		464	00	01	17
	1460	00	00	10		478	00	00	93
बेडा	328	00	05	45		477	00	00	34
	327	00	02	99		479	00	06	53
	321	00	01	17		574	00	00	71
	727	00	02	40		480	00	03	26
	325	00	01	82		573	00	01	94
	728	00	00	14		572	00	02	90
	324	00	00	84		486	00	00	10
	294	00	05	19		485	00	01	18
	333	00	01	11		484	00	10	12
	289	00	01	63		487	00	00	66
	293	00	01	25		489	00	00	22
	290	00	01	17		490	00	05	96
	291	00	01	20		491	00	00	55
	292	00	00	33		496	00	02	91
	283	00	01	32		495	00	00	53
	284	00	02	87		494	00	02	13
	285	00	01	99		493	00	00	20
	387	00	00	71		530	00	02	89
	385	00	01	23		529	00	01	91
	388	00	00	46		528	00	02	80
	389	00	01	33		527	00	02	51
	391	00	01	76		526	00	00	24
	393	00	00	10		525	00	10	50
	392	00	01	79		524	00	07	88
	399	00	02	02		539	00	00	16
	400	00	01	21		523	00	08	51
	401	00	00	21	काण्डबिन्धा	1822	00	03	56
	402	00	02	78		1826	00	03	68
	421	00	01	87		1825	00	01	45
	422	00	01	16		1827	00	02	75
	423	00	02	00		1824	00	00	84
	424	00	00	29		1829	00	02	42
	461	00	00	10		1842	00	02	33
	460	00	03	02		1843	00	03	48
	459	00	01	70		1840	00	00	17
						1844	00	00	21

1	2	3	4	5	1	2	3	4	5
काण्डबिन्धा	1839	00	01	77	काण्डबिन्धा	2495	00	00	52
	1837	00	01	30		2488	00	02	77
	1838	00	08	37		2494	00	00	13
	1834	00	00	42		2489	00	01	10
	1836	00	08	09		2490	00	01	62
	5338	00	00	10		2492	00	00	10
	5337	00	03	78		5786	00	00	20
	5339	00	00	19		2491	00	00	71
	1874	00	01	55		2469	00	00	46
	1875	00	02	63		2468	00	03	21
	1879	00	05	41		2447	00	01	19
	1881	00	00	80		2467	00	01	21
	1882	00	04	80		2466	00	02	10
	1883	00	03	55		2534	00	03	14
	5728	00	00	82		2663	00	00	66
	5729	00	03	89		2464	00	02	42
	5312	00	00	61		2465	00	01	21
	1955	00	03	76		2721	00	00	58
	1961	00	00	18		2722	00	00	40
	1954	00	03	33		2723	00	00	20
	1949	00	00	88		2463	00	00	48
	1953	00	01	90		2724	00	04	23
	1950	00	02	34		2228	00	01	43
	1948	00	00	10		2727	00	01	98
	1952	00	03	47		2726	00	00	90
	1951	00	03	65		2729	00	03	83
	1965	00	00	67		2730	00	01	03
	5678	00	02	22		2731	00	02	37
	1931	00	00	86		2710	00	00	72
	2517	00	04	29		2709	00	02	57
	2518	00	01	64		2732	00	00	90
	2519	00	00	62		2734	00	00	28
	2520	00	01	08		2745	00	02	08
	2522	00	06	36		2749	00	01	01
	2523	00	00	21		2750	00	00	42
	2498	00	00	71		2762	00	00	34
	2496	00	03	23		2748	00	00	16
	2497	00	02	10		2801	00	02	58
	2486	00	00	10		2800	00	02	31
	2487	00	00	86		2802	00	00	23

1	2	3	4	5	1	2	3	4	5
काण्डबिन्धा	2799	00	02	75	काण्डबिन्धा	5552	00	02	03
	2798	00	01	08		3510	00	01	00
	2796	00	01	12		3513	00	00	10
	2784	00	00	10		3509	00	03	81
	2797	00	00	28		3508	00	15	89
	2795	00	01	62		3504	00	00	46
	2811	00	00	61		3505	00	02	99
	2794	00	01	62		3507	00	05	82
	2793	00	00	10		3497	00	01	76
	2812	00	00	10		3551	00	08	53
	2818	00	12	45		3588	00	00	18
	2828	00	04	07		5997	00	00	94
	2829	00	00	88		3593	00	01	60
	2833	00	05	43		3594	00	01	41
	2836	00	00	51		3595	00	02	01
	2835	00	00	50		3604	00	02	21
	5548	00	01	26		3603	00	00	70
	2834	00	05	22		3605	00	02	36
	2855	00	01	29		3602	00	00	10
	5722	00	02	13		3606	00	03	40
	5721	00	01	31		3607	00	01	65
	5723	00	00	59		3608	00	01	04
	2846	00	02	50		3669	00	01	20
	2845	00	01	38		3656	00	00	81
	2842	00	00	64		3609	00	00	10
	2843	00	05	06		3610	00	01	31
	2844	00	02	41		3657	00	00	48
	3294	00	01	21		3658	00	00	22
	3295	00	08	06		3655	00	03	23
	3296	00	03	92		3611	00	00	37
	3538	00	01	65		3613	00	00	10
	5357	00	02	45		3612	00	01	04
	3549	00	00	10		3621	00	00	22
	3548	00	04	17		3654	00	03	64
	5356	00	00	59		3622	00	03	96
	3539	00	06	51		3624	00	00	48
	3540	00	00	52		3623	00	03	58
	5550	00	01	18		3642	00	00	10
	5551	00	01	62		3643	00	09	75
	3512	00	01	66		3647	00	01	69

1	2	3	4	5	1	2	3	4	5
काण्डबिन्धा	3644	00	00	42	काण्डबिन्धा	4228	00	00	65
	3645	00	01	62		4240	00	11	07
	3646	00	01	09		4245	00	04	15
	3745	00	07	43		4246	00	08	86
	3746	00	00	63		4247	00	02	09
	3744	00	02	86		4263	00	00	35
	5238	00	00	57		4254	00	06	00
	5237	00	03	85		4248	00	02	74
	3728	00	01	49		4250	00	02	09
	3742	00	00	66		4251	00	02	26
	6029	00	02	79		4252	00	08	49
	3727	00	00	72		4253	00	01	18
	3725	00	00	23	बलरामपुर	2882	00	03	40
	3790	00	03	68		2812	00	15	08
	3791	00	03	56		2813	00	09	03
	3722	00	07	03		2862	00	03	47
	5605	00	04	53		2863	00	06	80
	5604	00	05	86		2861	00	09	82
	3799	00	01	11		2865	00	00	78
	5608	00	02	74		2866	00	05	25
	5603	00	00	10		2857	00	00	62
	5609	00	00	62		2868	00	39	06
	3838	00	02	03		2870	00	13	54
	3563	00	00	20		2878	00	02	27
	3858	00	20	76		2877	00	07	16
	3847	00	00	13		2876	00	07	03
	3846	00	50	97		2875	00	09	15
	4196	00	00	10		2874	00	08	20
	4197	00	12	34		2873	00	09	00
	4200	00	06	34		2872	00	05	27
	4199	00	01	47		2904	00	05	41
	4198	00	06	08		2905	00	04	28
	4181	00	01	63		2909	00	35	68
	4235	00	08	50		2910	00	03	37
	4234	00	02	27		2911	00	01	55
	4232	00	01	45		2912	00	15	96
	4233	00	00	20		2937	00	26	70
	4231	00	01	43		2934	00	13	13
	4227	00	08	13		2932	00	06	32
	4230	00	03	58					
	4229	00	06	56					

[फा. सं. आर-25011/24/2009-ओ आर-1]

बी. के. दत्ता, अवर सचिव

New Delhi, the 30th December, 2010

S.O. 92.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 162, dated 11-1-2010 issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the land in Tehsil- Odapada, District-Dhenkanal, in Orissa State, specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of Petroleum products from Paradip (Orissa) to Raipur (Chhattisgarh) and Ranchi (Jharkhand) by Indian Oil Corporation Limited;

And whereas, copies of the said notification were made available to the public on 26th February, 2010;

And whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted his report to the Central Government;

And whereas, the Central Government has after considering the said report, decided to acquire the right of user in the land specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, Central Government hereby directs the right of user in the said land shall instead of vesting in the Central Government, vest on date of publication of this declaration, in Indian Oil Corporation Limited, free from all encumbrances.

SCHEDULE

Tehsil : Odapada District : Dhenkanal State : Orissa

Name of the Village	Plot No.	Area		
		Hectare	Are	Sq. mtr.
1	2	3	4	5
Korehigadia	1048	00	04	97
	832	00	04	34
	1046	00	00	31
	833	00	00	90
	831	00	05	94
	830	00	01	63
	835	00	00	56
	836	00	02	60
	846	00	03	52
	844	00	05	87

1	2	3	4	5
Korehigadia	843	00	03	56
	842	00	00	29
	858	00	00	32
	861	00	04	12
	862	00	00	96
	860	00	04	09
	868	00	00	55
	867	00	05	93
	866	00	01	57
	870	00	03	39
	871	00	02	35
	646	00	03	67
	645	00	00	99
	644	00	08	86
	651	00	01	76
	642	00	07	57
	641	00	04	05
	638	00	02	49
	632	00	06	25
	635	00	05	57
	634	00	01	24
	421	00	05	92
	636	00	00	19
	422	00	01	22
	423	00	01	06
	424	00	06	15
	1100	00	00	10
	427	00	02	33
	425	00	00	25
	426	00	01	10
	419	00	01	90
	418	00	01	12
	430	00	01	76
	1065	00	14	34
	145	00	05	78
	146	00	00	40
	144	00	03	41
	143	00	01	00
	142	00	02	53
	138	00	11	55

1	2	3	4	5	1	2	3	4	5
Korehigādia	134	00	00	91	Palasudha	192	00	00	20
	133	00	04	37		164	00	02	59
	1049	00	03	05		162	00	00	10
Palasudha	385	00	02	95		166	00	00	87
	441	00	00	10		165	00	00	76
	337	00	00	10		167	00	01	21
	336	00	05	33		179	00	00	20
	335	00	03	38		168	00	00	22
	442	00	02	93		178	00	03	76
	316	00	01	27		177	00	02	54
	393	00	00	22		182	00	02	09
	314	00	00	10		397	00	01	73
	306	00	02	45		175	00	00	10
	307	00	04	30		183	00	00	92
	312	00	00	42		184	00	08	92
	308	00	13	69	Indipur	4331	00	02	43
	310	00	00	10		2515	00	00	20
	309	00	03	72		4332	00	04	80
	251	00	01	88		2407	00	02	52
	246	00	00	10		2405	00	01	32
	250	00	01	64		4328	00	02	00
	252	00	00	46		2512	00	00	10
	249	00	00	16		2419	00	02	35
	253	00	11	34		2420	00	00	10
	260	00	00	10		2418	00	13	55
	254	00	03	87		2421	00	12	05
	258	00	00	82		2422	00	00	10
	392	00	01	20		2426	00	01	53
	256	00	02	28		2427	00	02	09
	204	00	03	09		2439	00	04	35
	209	00	00	10		2434	00	02	43
	205	00	02	84		2433	00	01	45
	206	00	00	54		4447	00	03	21
	202	00	00	96		2463	00	04	86
	207	00	03	15		2435	00	03	61
	199	00	00	39		2462	00	00	10
	201	00	03	68		2442	00	05	42
	160	00	00	13		2441	00	07	36
	200	00	02	05		2377	00	01	87
	163	00	02	31		1153	00	01	48

1	2	3	4	5	1	2	3	4	5
Indipur	1154	00	02	36	Indipur	1336	00	03	70
	4236	00	02	06		1340	00	00	10
	1155	00	03	34		1339	00	05	25
	1160	00	07	44		1338	00	00	94
	1161	00	00	40		1386	00	02	39
	1159	00	03	78		124	00	00	75
	1175	00	06	21		1387	00	02	02
	4047	00	06	36		1367	00	00	46
	1217	00	01	48		125	00	00	47
	1218	00	06	84		4233	00	00	10
	1219	00	00	40		123	00	01	61
	4302	00	00	60		122	00	00	20
	4301	00	00	10		120	00	00	26
	1220	00	06	00		126	00	00	60
	1221	00	02	42		119	00	06	17
	1222	00	01	37		135	00	00	40
	1224	00	07	63		121	00	00	10
	4205	00	01	12		4417	00	00	55
	1231	00	00	21		118	00	03	20
	1223	00	01	86		4429	00	00	72
	1232	00	02	79		4209	00	02	54
	1236	00	00	19		137	00	00	75
	1235	00	04	92		84	00	04	87
	1234	00	00	24		83	00	02	12
	1266	00	00	38		82	00	05	71
	1265	00	04	55		22	00	00	43
	4435	00	02	02		24	00	04	25
	1268	00	04	51		23	00	00	10
	1267	00	00	10		74	00	03	90
	1269	00	00	30		25	00	04	48
	1284	00	00	80		34	00	02	31
	1270	00	00	25		33	00	00	50
	1283	00	02	40		35	00	03	63
	1285	00	00	95		39	00	01	03
	1282	00	02	12		36	00	01	01
	1286	00	04	21		38	00	09	34
	1330	00	00	48		37	00	00	10
	1331	00	03	46		12	00	14	73
	1329	00	05	27		13	00	00	20
	1328	00	00	52					

1	2	3	4	5	1	2	3	4	5
Nuni	82	00	00	53	Nuni	145	00	02	77
	81	00	00	10		155	00	03	89
	83	00	05	15		157	00	01	85
	86	00	00	94		156	00	01	48
	85	00	02	59		167	00	00	17
	84	00	01	41		168	00	02	02
	92	00	03	77		1131	00	00	48
	93	00	01	11		164	00	00	48
	100	00	01	37		252	00	00	41
	96	00	00	44		169	00	02	02
	99	00	01	72		170	00	02	31
	97	00	00	10		250	00	02	58
	98	00	02	09		171	00	01	59
	109	00	01	66		249	00	02	02
	108	00	00	87		248	00	00	10
	110	00	00	79		247	00	00	14
	111	00	00	10		187	00	00	93
	107	00	01	97		185	00	01	33
	112	00	05	77		186	00	01	62
	113	00	01	71		188	00	00	19
	116	00	00	10		192	00	02	31
	114	00	01	11		191	00	00	31
	115	00	01	80		216	00	01	89
	133	00	00	10		217	00	02	08
	132	00	04	15		213	00	00	98
	131	00	02	42		206	00	00	10
	129	00	00	10		207	00	01	69
	130	00	00	70		208	00	02	28
	134	00	00	10		212	00	01	43
	135	00	05	17		211	00	02	02
	125	00	00	66		209	00	00	41
	139	00	01	13		210	00	01	62
	138	00	00	79		220	00	00	82
	140	00	02	06	Dengaborei	1473	00	00	10
	141	00	00	10		1472	00	02	93
	148	00	02	92		1469	00	02	33
	142	00	01	21		1468	00	00	32
	144	00	02	53		1471	00	00	56
	1121	00	01	49		1470	00	02	02
	146	00	00	39		1467	00	02	01

1	2	3	4	5	1	2	3	4	5
Dengaborei	1461	00	03	73	Beda	478	00	00	93
	1460	00	00	10		477	00	00	34
Beda	328	00	05	45		479	00	06	53
	327	00	02	99		574	00	00	91
	321	00	01	17		480	00	03	26
	727	00	02	40		573	00	01	94
	325	00	01	82		572	00	02	50
	728	00	00	14		486	00	00	10
	324	00	00	84		485	00	01	18
	294	00	05	19		484	00	10	12
	333	00	01	11		487	00	00	66
	289	00	01	63		489	00	00	22
	293	00	01	25		490	00	05	96
	290	00	01	17		491	00	00	55
	291	00	01	20		496	00	02	91
	292	00	00	33		495	00	00	53
	283	00	01	32		494	00	02	13
	284	00	02	87		493	00	00	20
	285	00	01	99		530	00	02	59
	387	00	00	71		529	00	01	91
	385	00	01	23		528	00	02	80
	388	00	00	46		527	00	02	51
	389	00	01	33		526	00	00	24
	391	00	01	76		525	00	10	50
	393	00	00	10		524	00	07	88
	392	00	01	79		539	00	00	16
	399	00	02	02		523	00	08	51
	400	00	01	21	Kandabindha	1822	00	03	56
	401	00	00	21		1826	00	03	68
	402	00	02	78		1825	00	01	45
	421	00	01	87		1827	00	02	73
	422	00	01	16		1824	00	00	84
	423	00	02	00		1829	00	02	42
	424	00	00	29		1841	00	02	42
	461	00	00	10		1842	00	02	24
	460	00	03	02		1843	00	03	48
	459	00	01	70		1840	00	00	17
	463	00	00	84		1844	00	00	24
	458	00	01	10		1839	00	01	77
	464	00	01	17		1837	00	01	30
						1838	00	08	20

1	2	3	4	5	1	2	3	4	5
Kandabindha	1834	00	00	42	Kandabindha	2489	00	01	10
	1836	00	08	09		2490	00	01	62
	5338	00	00	10		2492	00	00	10
	5337	00	03	78		5786	00	00	20
	5339	00	00	19		2491	00	00	71
	1874	00	01	55		2469	00	00	46
	1875	00	02	63		2468	00	03	21
	1879	00	05	41		2447	00	01	19
	1881	00	00	80		2467	00	01	21
	1882	00	04	80		2466	00	02	10
	1883	00	03	55		2534	00	03	14
	5728	00	00	82		2663	00	00	66
	5729	00	03	89		2464	00	02	42
	5312	00	00	61		2465	00	01	21
	1955	00	03	76		2721	00	00	58
	1961	00	00	18		2722	00	00	40
	1954	00	03	33		2723	00	00	20
	1949	00	00	88		2463	00	00	48
	1953	00	01	90		2724	00	04	23
	1950	00	02	34		2228	00	01	43
	1948	00	00	10		2727	00	01	98
	1952	00	03	47		2726	00	00	90
	1951	00	03	65		2729	00	03	83
	1965	00	00	67		2730	00	01	03
	5678	00	02	22		2731	00	02	37
	1931	00	00	86		2710	00	00	72
	2517	00	04	29		2709	00	02	57
	2518	00	01	64		2732	00	00	90
	2519	00	00	62		2734	00	00	28
	2520	00	01	08		2745	00	02	08
	2522	00	06	36		2749	00	01	01
	2523	00	00	21		2750	00	00	42
	2498	00	00	71		2762	00	00	34
	2496	00	03	23		2748	00	00	16
	2497	00	02	10		2801	00	02	58
	2486	00	00	10		2800	00	02	31
	2487	00	00	86		2802	00	00	23
	2495	00	00	52		2799	00	02	75
	2488	00	02	77		2798	00	01	08
	2494	00	00	13		2796	00	01	12

1	2	3	4	5	1	2	3	4	5
Kandabindha	2784	00	00	10	Kandabindha	3509	00	03	81
	2797	00	00	28		3508	00	15	89
	2795	00	01	62		3504	00	00	46
	2811	00	00	61		3505	00	02	99
	2794	00	01	62		3507	00	05	82
	2793	00	01	10		3497	00	01	76
	2812	00	00	10		3551	00	08	53
	2818	00	12	45		3588	00	00	18
	2828	00	04	07		5997	00	00	94
	2829	00	00	88		3593	00	01	60
	2833	00	05	43		3594	00	01	41
	2836	00	00	51		3595	00	02	01
	2835	00	00	50		3604	00	02	21
	5548	00	01	26		3603	00	00	70
	2834	00	05	22		3605	00	02	36
	2855	00	01	29		3602	00	00	10
	5722	00	02	13		3606	00	03	40
	5721	00	01	31		3607	00	01	65
	5723	00	00	59		3608	00	01	04
	2846	00	02	50		3669	00	01	20
	2845	00	01	38		3656	00	00	81
	2842	00	00	64		3609	00	00	10
	2843	00	05	06		3610	00	01	31
	2844	00	02	41		3657	00	00	48
	3294	00	01	21		3658	00	00	22
	3295	00	08	06		3655	00	03	23
	3296	00	03	92		3611	00	00	37
	3538	00	01	65		3613	00	00	10
	5357	00	02	45		3612	00	01	04
	3549	00	00	10		3621	00	00	22
	3548	00	04	17		3654	00	03	64
	5356	00	00	59		3622	00	03	96
	3539	00	06	51		3624	00	00	48
	3540	00	00	52		3623	00	03	58
	5550	00	01	18		3642	00	00	10
	5551	00	01	62		3643	00	09	75
	3512	00	01	66		3647	00	01	69
	5552	00	02	03		3644	00	00	42
	3510	00	01	00		3645	00	01	62
	3513	00	00	10		3646	00	01	09

1	2	3	4	5	1	2	3	4	5
Kandabindha	3745	00	07	43	Kandabindha	4245	00	04	15
	3746	00	00	63		4246	00	08	86
	3744	00	02	86		4247	00	02	09
	5238	00	00	57		4263	00	00	35
	5237	00	03	85		4254	00	06	00
	3728	00	01	49		4248	00	02	74
	3742	00	00	66		4250	00	02	09
	6029	00	02	79		4251	00	02	26
	3727	00	00	72		4252	00	08	49
	3725	00	00	23		4253	00	01	18
	3790	00	03	68	Balarampur	2882	00	03	40
	3791	00	03	56		2812	00	15	08
	3722	00	07	03		2813	00	09	03
	5605	00	04	53		2862	00	03	47
	5604	00	05	86		2863	00	06	80
	3799	00	01	11		2861	00	09	82
	5608	00	02	74		2865	00	00	78
	5603	00	00	10		2866	00	05	25
	5609	00	00	62		2857	00	00	62
	3838	00	02	03		2868	00	39	06
	3563	00	00	20		2870	00	13	54
	3858	00	20	76		2878	00	02	27
	3847	00	00	13		2877	00	07	16
	3846	00	50	97		2876	00	07	03
	4196	00	00	10		2875	00	09	15
	4197	00	12	34		2874	00	08	20
	4200	00	06	34		2873	00	09	00
	4199	00	01	47		2872	00	05	27
	4198	00	06	08		2904	00	05	41
	4181	00	01	63		2905	00	04	28
	4235	00	08	50		2909	00	35	68
	4234	00	02	27		2910	00	03	37
	4232	00	01	45		2911	00	01	55
	4233	00	00	20		2912	00	15	96
	4231	00	01	43		2937	00	26	70
	4227	00	08	13		2934	00	13	13
	4230	00	03	58		2932	00	06	32
	4229	00	06	56					
	4228	00	00	65					
	4240	00	11	07					

[F. No. R-25011/24/2009-OR-1]

B. K. DATTA, Under Secy.

नई दिल्ली, 30 दिसम्बर, 2010

का. अ. 93.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि पारादीप (उड़ीसा) से रायपुर (छत्तीसगढ़) एवं राँची (झारखण्ड) तक पेट्रोलियम उत्पादों के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा "पारादीप-सम्बलपुर-रायपुर-राँची पाइपलाइन" बिछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि जिसके नीचे पाइपलाइन बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित है, में उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के लिए, उसमें उपयोग के अधिकार का अर्जन करने के संबंध में श्री प्रेम चन्द वर्मा, सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, पारादीप-सम्बलपुर-रायपुर-राँची पाइपलाइन परियोजना, ग्राउंड प्लोर, बी-ब्लॉक, शाहदेव टावर, पी. पी. कम्पाउन्ड, राँची-834001 (झारखण्ड) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

अंचल : कोलेबीरा जिला : सिमडेगा राज्य : झारखण्ड

गाँव का नाम	प्लॉट सं.	क्षेत्रफल		
		हेक्टेयर.	एयर	वर्ग मी.
(1)	(2)	(3)	(4)	(5)
ऐडेगा-78	2281	00	02	21
	2280	00	28	99
	2279	00	00	95
	2270	00	05	25
	2278	00	04	66
	2272	00	01	19
	2273	00	07	69
	2275	00	00	95
	2267	00	05	13
	2274	00	00	90
	2261	00	08	65
	2262	00	00	26
	2260	00	00	44
	2259	00	10	60

(1)	(2)	(3)	(4)	(5)
ऐडेगा-78	2263	00	03	33
	2264	00	00	10
	2256	00	33	86
लचड़ागढ़-81	5145	00	12	14
	5171	00	12	44
	5149	00	02	90
	5209	00	04	31
	5210	00	06	33
	5212	00	03	21
	5214	00	12	31
	5207	00	01	90
	5208	00	00	53
	5206	00	03	35
	5204	00	16	30
	5256	00	05	15
	5255	00	01	92
	5258	00	05	90
	5257	00	00	79
	5261	00	04	12
	5259	00	01	79
	5260	00	03	40
	5266	00	02	19
	5267	00	01	73
	5268	00	08	64
	5269	00	04	10
	5271	00	01	37
	5277	00	04	33
	5278	00	08	12
	5284	00	04	74
	5282	00	09	04
	5283	00	15	73
	5338	00	06	78
	5290	00	00	10
	5337	00	02	66
	5336	00	02	12
	5333	00	06	13
	5334	00	08	47
	5335	00	02	03
	4896	00	05	03
	4794	00	01	87
	4793	00	06	52
	4790	00	09	44
	4797	00	13	32
	4788	00	15	03
	4756	00	01	22
	4757	00	03	83

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
लचड़ागढ़-81	4759	00	06	05	लचड़ागढ़-81	1540	00	02	81
	4764	00	17	58		1591	00	07	11
	4763	00	05	10		1648	00	04	02
	4760	00	00	20		1646	00	11	15
	1093	00	26	65		1604	00	00	12
	1092	00	05	04		1606	00	00	51
	1090	00	05	48		1605	00	01	16
	1089	00	03	33		1607	00	02	72
	1084	00	00	10		1608	00	02	23
	1088	00	00	39		1610	00	00	52
	1087	00	00	92		1600	00	02	20
	1085	00	00	42		1609	00	01	21
	1086	00	05	02		1617	00	06	94
	1079	00	06	78		1618	00	10	77
	1078	00	02	01		1619	00	09	49
	1132	00	00	10		1620	00	06	56
	1076	00	03	16		5221	00	00	15
	1075	00	00	42		5222	00	00	10
	1077	00	01	38		5223	0	00	10
	1169	00	03	54	कुदाबेड़ा-104	901	00	19	91
	1201	00	04	41		891	00	06	44
	1199	00	02	26		890	00	06	20
	1198	00	01	36		966	00	08	13
	1197	00	06	45		965	00	01	87
	1196	00	07	18		962	00	05	83
	1205	00	02	63		985	00	02	22
	1195	00	02	11		986	00	22	14
	1207	00	09	99		987	00	00	51
	1453	00	03	69		995	00	13	17
	1454	00	00	10		996	00	02	36
	1460	00	01	92		800	00	18	10
	1452	00	10	07		1001	00	00	85
	1451	00	01	85		1002	00	05	67
	1471	00	14	92		1004	00	01	94
	1479	00	03	57		1012	00	12	74
	1478	00	10	96		1011	00	00	10
	1472	00	06	39		1013	00	00	10
	1477	00	00	26		1015	00	00	81
	1476	00	02	57		1016	00	05	95
	1475	00	01	25		1023	00	11	50
	1474	00	02	24		1027	00	01	02
	1494	00	03	53		1028	00	05	40
	1495	00	13	29		1044	00	11	43
	1498	00	09	71		1166	00	07	44
	1500	00	18	62		1164	00	06	94
	1538	00	05	34		1169	00	07	11
	1537	00	21	76		419	00	01	11
						418	00	05	93
						416	00	16	61
						415	00	00	91

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
कुसाबेड़ा-104	414	00	06	86	कुम्बाकरा-105	52	00	00	71
	413	00	00	34		51	00	03	78
	412	00	07	60		40	00	10	13
	353	00	00	49		41	00	06	01
	352	00	01	66	सिजांग-108	703	00	13	05
	354	00	16	13		702	00	12	03
	357	00	04	96		683	00	07	94
	317	00	22	25		685	00	23	06
	318	00	09	55		671	00	05	05
	314	00	13	33		670	00	19	62
	312	00	18	72	बड़केतुंगा-107	397	00	14	23
	409	00	05	47		396	00	01	22
	410	00	06	01		394	00	03	87
	407	00	00	68		393	00	15	58
	411	00	00	89		389	00	00	19
कुम्बाकरा-105	519	00	00	51		390	00	04	10
	518	00	01	12		391	00	03	07
	513	00	05	03		392	00	02	73
	516	00	03	10		385	00	03	79
	514	00	02	10		383	00	04	59
	517	00	00	12		379	00	18	91
	515	00	03	68		376	00	16	67
	512	00	09	34		258	00	03	40
	511	00	02	43		288	00	02	28
	505	00	06	15		260	00	08	57
	500	00	02	00		284	00	06	13
	531	00	00	90		261	00	00	10
	501	00	07	88		276	00	00	37
	499	00	01	73		277	00	03	40
	498	00	02	01		278	00	07	38
	497	00	01	68		279	00	12	26
	496	00	00	94		280	00	06	52
	495	00	01	83		225	00	05	97
	493	00	00	10		229	00	01	94
	502	00	00	89		228	00	07	51
	503	00	00	42		139	00	05	66
	460	00	00	27		158	00	04	20
	483	00	03	06		154	00	03	81
	461	00	03	36		156	00	17	02
	462	00	07	09		155	00	00	13
	457	00	00	84		100	00	04	80
	456	00	07	16		99	00	02	38
	64	00	18	02		98	00	12	82
	58	00	09	62		97	00	00	59
	77	00	05	35		93	00	00	10
	57	00	02	64		94	00	03	62
	56	00	07	12		95	00	01	15
	55	00	00	74		90	00	07	21
	54	00	00	97		87	00	15	59
	53	00	02	02		76	00	11	40

(1)	(2)	(3)	(4)	(5)
बड़केतुंगा-107	78	00	00	10
	1320	00	01	18
	678	00	02	66
	679	00	00	37
	677	00	10	40
	676	00	12	82
	675	00	02	55
	651	00	07	19
	653	00	00	16
	652	00	01	22
	673	00	08	65
	672	00	14	74
	670	00	00	40
	671	00	00	50
	669	00	22	48
	802	00	10	87
	801	00	10	95
	811	00	08	21
	812	00	00	10
	785	00	00	10
	814	00	19	98
	813	00	00	10
	815	00	03	67
	826	00	06	08
	825	00	07	39
	824	00	00	41
	823	00	03	51
	816	00	05	79
	821	00	02	44
	820	00	00	62
	827	00	09	19
	832	00	12	48
	866	00	01	19
	865	00	14	33
	847	00	00	54
	848	00	00	61
	850	00	00	10
	864	00	05	40
	851	00	01	12
	844	00	01	24
	852	00	03	00
	736	00	13	05

[फा. सं. आर.-25011/48/2010-ओ. आर.-1]

बी. के. दत्ता, अवर सचिव

New Delhi, the 30th December, 2010

S.O. 93.—Whereas, it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Paradip (Orissa) to Raipur (Chhattisgarh) and Ranchi (Jharkhand),

a "Paradip—Sambalpur—Raipur—Ranchi Pipeline" should be laid by Indian Oil Corporation Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said schedule may, within twenty-one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the General Public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri Prem Chandra Verma, Competent Authority, Indian Oil Corporation Limited, Paradip—Sambalpur—Raipur—Ranchi Pipe Line Project, Ground floor, B-Block, Shahdeo Tower, P. P. Compound, Ranchi-834001 (Jharkhand)

SCHEDULE

Anchal : Kotebira District : Simdega State : Jharkhand

Name of the Village	Plot No.	Area		
		Hectare	Are	Sq. mtr.
(1)	(2)	(3)	(4)	(5)
Aidega-78	2281	00	02	21
	2280	00	28	99
	2279	00	00	95
	2270	00	05	25
	2278	00	04	66
	2272	00	01	19
	2273	00	07	69
	2275	00	00	95
	2267	00	05	13
	2274	00	00	90
	2261	00	08	65
	2262	00	00	26
	2260	00	00	44
	2259	00	10	60
Lachragarh—81	2263	00	03	33
	2264	00	00	10
	2256	00	33	86
	5145	00	12	14
	5171	00	12	44
	5149	00	02	90
	5209	00	04	31
	5210	00	06	33
	5212	00	03	21

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Lachragarh—81	5214	00	12	31	Lachrangarh—81	1087	00	00	92
	5207	00	01	90		1085	00	00	42
	5208	00	00	53		1086	00	05	02
	5206	00	03	35		1079	00	06	78
	5204	00	16	30		1078	00	02	01
	5256	00	05	15		1132	00	00	10
	5255	00	01	92		1076	00	03	16
	5258	00	05	90		1075	00	00	42
	5257	00	00	79		1077	00	01	38
	5261	00	04	12		1169	00	03	54
	5259	00	01	79		1201	00	04	41
	5260	00	03	40		1199	00	02	26
	5266	00	02	19		1198	00	01	36
	5267	00	01	73		1197	00	06	45
	5268	00	08	64		1196	00	07	18
	5269	00	04	10		1205	00	02	63
	5271	00	01	37		1195	00	02	11
	5277	00	04	33		1207	00	09	99
	5278	00	08	12		1453	00	03	69
	5284	00	04	74		1454	00	00	10
	5282	00	09	04		1460	00	01	92
	5283	00	15	73		1452	00	10	07
	5338	00	06	78		1451	00	01	85
	5290	00	00	10		1471	00	14	92
	5337	00	02	66		1479	00	03	57
	5336	00	02	12		1478	00	10	96
	5333	00	06	13		1472	00	06	39
	5334	00	08	47		1477	00	00	26
	5335	00	02	03		1476	00	02	57
	4896	00	05	03		1475	00	01	25
	4794	00	01	87		1474	00	02	24
	4793	00	06	52		1494	00	03	53
	4790	00	09	44		1495	00	13	29
	4797	00	13	32		1498	00	09	71
	4788	00	15	03		1500	00	18	62
	4756	00	01	22		1538	00	05	34
	4757	00	03	83		1537	00	21	76
	4759	00	06	05		1540	00	02	81
	4764	00	17	58		1591	00	07	11
	4763	00	05	10		1648	00	04	02
	4760	00	00	20		1646	00	11	15
	1093	00	26	65		1604	00	00	12
	1092	00	05	04		1606	00	00	51
	1090	00	05	48		1605	00	01	16
	1089	00	03	33		1607	00	02	72
	1084	00	00	10		1608	00	02	23
	1088	00	00	39		1610	00	00	52

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Lachragarh—81	1600	00	02	20	Kudabera—104	317	00	22	25
	1609	00	01	21		318	00	09	55
	1617	00	06	94		314	00	15	33
	1618	00	10	77		312	00	18	72
	1619	00	09	49		409	00	05	47
	1620	00	06	56		410	00	06	01
	5221	00	00	15		407	00	00	68
	5222	00	00	10		411	00	00	89
	5223	0	00	10	Kumbakera—105	519	00	00	51
Kudabera—104	901	00	19	91		518	00	01	12
	891	00	06	44		513	00	05	03
	890	00	06	20		516	00	03	10
	966	00	08	13		514	00	02	10
	965	00	01	87		517	00	00	12
	962	00	05	83		515	00	03	68
	985	00	02	22		512	00	09	34
	986	00	22	14		511	00	02	43
	987	00	00	51		505	00	06	15
	995	00	13	17		500	00	02	00
	996	00	02	36		531	00	00	90
	800	00	18	10		501	00	07	88
	1001	00	00	85		499	00	01	73
	1002	00	05	67		498	00	02	01
	1004	00	01	94		497	00	01	68
	1012	00	12	74		496	00	00	94
	1011	00	00	10		495	00	01	83
	1013	00	00	10		493	00	00	10
	1015	00	00	81		502	00	00	89
	1016	00	05	95		503	00	00	42
	1023	00	11	50		460	00	00	27
	1027	00	01	02		483	00	03	06
	1028	00	05	40		461	00	03	36
	1044	00	11	43		462	00	07	09
	1166	00	07	44		457	00	00	84
	1164	00	06	94		456	00	07	16
	1169	00	07	11		64	00	18	02
	419	00	01	11		58	00	09	62
	418	00	05	93		77	00	05	35
	416	00	16	61		57	00	02	64
	415	00	00	91		56	00	07	12
	414	00	06	86		55	00	00	74
	413	00	00	34		54	00	00	97
	412	00	07	60		53	00	02	02
	353	00	00	49		52	00	00	71
	352	00	01	66		51	00	03	78
	354	00	16	13		40	00	10	13
	357	00	04	96		41	00	06	01

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Sijang—108	703	00	13	05	Baraketunga—107	1320	00	01	18
	702	00	12	03		678	00	02	66
	683	00	07	94		679	00	00	37
	685	00	23	06		677	00	10	40
	671	00	05	05		676	00	12	82
	670	00	19	62		675	00	02	55
Baraketunga—107	397	00	14	23		651	00	07	19
	396	00	01	22		653	00	00	16
	394	00	03	87		652	00	01	22
	393	00	15	58		673	00	08	65
	389	00	00	19		672	00	14	74
	390	00	04	10		670	00	00	40
	391	00	03	07		671	00	00	50
	392	00	02	73		669	00	22	48
	385	00	03	79		802	00	10	87
	383	00	04	59		801	00	10	95
	379	00	18	91		811	00	08	21
	376	00	16	67		812	00	00	10
	258	00	03	40		785	00	00	10
	288	00	02	28		814	00	19	98
	260	00	08	57		813	00	00	10
	284	00	06	13		815	00	03	67
	261	00	00	10		826	00	06	08
	276	00	00	37		825	00	07	39
	277	00	03	40		824	00	00	41
	278	00	07	38		823	00	03	51
	279	00	12	26		816	00	05	79
	280	00	06	52		821	00	02	44
	225	00	05	97		820	00	00	62
	229	00	01	94		827	00	09	19
	228	00	07	51		832	00	12	48
	139	00	05	66		866	00	01	19
	158	00	04	20		865	00	14	33
	154	00	03	81		847	00	00	54
	156	00	17	02		848	00	00	61
	155	00	00	13		850	00	00	10
	100	00	04	80		864	00	05	40
	99	00	02	38		851	00	01	12
	98	00	12	82		844	00	01	24
	97	00	00	59		852	00	03	00
	93	00	00	10		736	00	13	05
	94	00	03	62					
	95	00	01	15					
	90	00	07	21					
	87	00	15	59					
	76	00	11	40					
	78	00	00	10					

[F. No. R-25011/48/2010-OR-I]

B. K. DATTA, Under Secy.

नई दिल्ली, 30 दिसम्बर, 2010

का. आ. 94.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि पारादीप (उड़ीसा) से रायपुर (छत्तीसगढ़) एवं

राँची (झारखण्ड) तक पेट्रोलियम उत्पादों के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा "पारादीप-सम्बलपुर-रायपुर-राँची पाइपलाइन" बिछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में, जिसके नीचे पाइपलाइन बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित है, में उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के लिए, उसमें उपयोग के अधिकार का अर्जन करने के संबंध में श्री प्रेम चन्द वर्मा, सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, पारादीप-सम्बलपुर-रायपुर-राँची पाइपलाइन परियोजना, ग्राउंड फ्लोर, बी-ब्लॉक, शाहदेव टावर, पी. पी. कम्पाउन्ड, राँची-834001 (झारखण्ड) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

अंचल : कामडारा जिला : गुमला राज्य : झारखण्ड

गाँव का नाम	प्लॉट सं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मी.
(1)	(2)	(3)	(4)	(5)
टाटी-7	3382	00	02	39
	3383	00	02	06
	3385	00	01	39
	3387	00	00	63
	3388	00	08	54
	3627	00	00	10
	3628	00	44	35
	3653	00	14	39
	3673	00	01	36
	3657	00	00	50
	3658	00	02	63
	3660	00	04	32
	3661	00	02	95
	3665	00	08	54
	3669	00	02	57
	3668	00	15	83
	3698	00	05	34

(1)	(2)	(3)	(4)	(5)
टाटी-7	3711	00	01	76
	3700	00	01	50
	3701	00	01	25
	3702	00	04	60
	3694	00	00	81
	3705	00	03	50
	3590	00	01	16
	3703	00	09	61
	2850	00	00	10
	3704	00	01	57
	3707	00	00	38
	3706	00	02	81
	2847	00	09	82
	2846	00	04	40
	2845	00	09	69
	2843	00	00	39
	3732	00	04	20
	3731	00	11	01
	3735	00	00	95
	3737	00	05	40
	3738	00	02	58
	3746	00	09	75
कुलबुरू-4	3760	00	05	88
	3747	00	03	02
	3748	00	05	12
	3758	00	00	90
	3759	00	05	43
	3783	00	02	29
	3784	00	02	12
	3782	00	00	32
	3781	00	07	09
	3812	00	11	70
	3811	00	10	04
	3814	00	17	38
	3810	00	02	14
	3807	00	01	38
	3806	00	04	28
	3815	00	01	92
	3805	00	05	99
	3804	00	11	68
	3823	00	01	29
	3822	00	01	34
	3803	00	00	21
	1503	00	05	02
	1489	00	15	76
	1455	00	02	58

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
कुलबुरु-4	1454	00	07	17	कुलबुरु-4	2649	00	13	20
	1385	00	03	19		2634	00	05	71
	1386	00	00	53		2631	00	00	10
	1383	00	01	04		2630	00	08	18
	1394	00	00	26		3738	00	02	46
	1393	00	03	72		3739	00	25	07
	1391	00	00	10		3737	00	00	13
	1395	00	05	28		3733	00	00	64
	1396	00	00	88		3732	00	04	11
	1400	00	06	70	खिजरी-3	574	00	00	45
	1403	00	01	38		575	00	00	10
	1404	00	00	57		573	00	10	80
	1401	00	02	08		572	00	06	48
	2260	00	65	85		571	00	07	45
	2259	00	02	87		578	00	00	25
	2258	00	08	64		2475	00	03	08
	2256	00	03	24		585	00	01	75
	2249	00	00	71		587	00	07	34
	2254	00	00	10		2132	00	03	48
	2255	00	01	64		2152	00	00	10
	2247	00	07	00		2151	00	16	64
	2250	00	06	38		2133	00	02	77
	2251	00	00	10		2134	00	02	56
	2245	00	03	62		2135	00	01	88
	2257	00	01	21		2136	00	00	62
	2244	00	02	14		2118	00	38	08
	2238	00	00	10		2141	00	00	17
	2239	00	10	78		2128	00	02	39
	2227	00	01	41		2126	00	03	35
	2226	00	05	35		2125	00	07	31
	2225	00	00	14		2124	00	00	60
	2220	00	03	86		2123	00	01	46
	2221	00	00	74		1651	00	18	82
	2217	00	08	25		1663	00	00	10
	2212	00	08	89		2091	00	01	43
	2213	00	00	10		1665	00	02	90
	2214	00	07	79		1666	00	01	12
	2203	00	02	29		2090	00	01	53
	2215	00	03	39		1667	00	05	58
	2201	00	13	67		1672	00	00	86
	2195	00	03	46		1668	00	07	97
	2191	00	10	15		1671	00	00	10
	2180	00	19	38		1669	00	06	65
	1392	00	00	80		2084	00	01	54
	1381	00	00	10		2478	00	00	96
	2619	00	00	42		1698	00	05	46
	2620	00	00	10		1697	00	01	34
	2192	00	00	33		1696	00	07	21
	2623	00	15	95		1695	00	00	93
	2650	00	07	18		1694	00	08	26

(1)	(2)	(3)	(4)	(5)
खिजरी-3	1714	00	02	59
	1716	00	00	10
	1715	00	09	35
	1718	00	00	10
	1717	00	07	56
	1824	00	00	11
	1817	00	05	93
	1819	00	08	04
	1818	00	00	13
	1820	00	00	77
	1815	00	01	79
	1816	00	08	78
	1813	00	03	66
	1812	00	06	10
	1871	00	08	64
	1872	00	03	43
	1807	00	03	90
	1805	00	01	12
	1804	00	02	50
	1803	00	00	30
	1881	00	08	04
	1882	00	00	22
	1885	00	05	33
	1886	00	12	91
	1887	00	05	98
	1888	00	01	05
	1366	00	14	10
	1367	00	03	90
	1364	00	07	17
	1365	00	00	10
	1346	00	10	77
	1359	00	00	58
	1345	00	06	29
	1344	00	03	00
	1343	00	00	81
	1347	00	15	63
	1335	00	01	20
	1334	00	02	33
	1336	00	01	92
	1333	00	06	71
	1332	00	09	69
	1331	00	02	41
	1323	00	10	50
	1327	00	00	27
	1325	00	03	36
	1324	00	08	26
	1282	00	10	27
	1302	00	04	87
	1301	00	08	45
	1300	00	08	92

(1)	(2)	(3)	(4)	(5)
खिजरी-3	1297	00	09	10
	1304	00	00	77
	1303	00	03	08
	1266	00	15	84
सरिता-1	4883	00	09	92
	4884	00	16	82

[फा. सं. आर.-25011/49/2010-ओ. आर.-1]

बी. के. दत्ता, अवसर सचिव

New Delhi, the 30th December, 2010

S.O. 94.—Whereas, it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Paradip (Orissa) to Raipur (Chhattisgarh) and Ranchi (Jharkhand), a "Paradip—Sambalpur—Raipur—Ranchi Pipeline" should be laid by Indian Oil Corporation Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said schedule may, within twenty-one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the General Public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri Prem Chandra Verma, Competent Authority, Indian Oil Corporation Limited, Paradip—Sambalpur—Raipur—Ranchi Pipe Line Project, Ground floor, B-Block, Shahdeo Tower, P. P. Compound, Ranchi-834001 (Jharkhand)

SCHEDULE

Anchal : Kamdara District : Gumla State : Jharkhand

Name of the Village	Plot No.	Area		
		Hectare	Are	Sq. mtr.
(1)	(2)	(3)	(4)	(5)
TATI-7	3382	00	02	39
	3383	00	02	06
	3385	00	01	39
	3387	00	00	63
	3388	00	08	54
	3627	00	00	10
	3628	00	44	35
	3653	00	14	39
	3673	00	01	36

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
TATI-7	3657	00	00	50	KULBURU-4	1454	00	07	17
	3658	00	02	63		1385	00	03	19
	3660	00	04	32		1386	00	00	53
	3661	00	02	95		1383	00	01	04
	3665	00	08	54		1394	00	00	26
	3669	00	02	57		1393	00	03	72
	3668	00	15	83		1391	00	00	10
	3698	00	05	34		1395	00	05	28
	3711	00	01	76		1396	00	00	88
	3700	00	01	50		1400	00	06	70
	3701	00	01	25		1403	00	01	38
	3702	00	04	60		1404	00	00	57
	3694	00	00	81		1401	00	02	08
	3705	00	03	50		2260	00	65	85
	3590	00	01	16		2259	00	02	87
	3703	00	09	61		2258	00	08	64
	2850	00	00	10		2256	00	03	24
	3704	00	01	57		2249	00	00	71
	3707	00	00	38		2254	00	00	10
	3706	00	02	81		2255	00	01	64
	2847	00	09	82		2247	00	07	00
	2846	00	04	40		2250	00	06	38
	2845	00	09	69		2251	00	00	10
	2843	00	00	39		2245	00	03	62
	3732	00	04	20		2257	00	01	21
	3731	00	11	01		2244	00	02	14
	3735	00	00	95		2238	00	00	10
	3737	00	05	40		2239	00	10	78
	3738	00	02	58		2227	00	01	41
	3746	00	09	75		2226	00	05	35
	3760	00	05	88		2225	00	00	14
	3747	00	03	02		2220	00	03	86
	3748	00	05	12		2221	00	00	74
	3758	00	00	90		2217	00	08	25
	3759	00	05	43		2212	00	08	89
	3783	00	02	29		2213	00	00	10
	3784	00	02	12		2214	00	07	79
	3782	00	00	32		2203	00	02	29
	3781	00	07	09		2215	00	03	39
	3812	00	11	70		2201	00	13	67
	3811	00	10	04		2195	00	03	46
	3814	00	17	38		2191	00	10	15
	3810	00	02	14		2180	00	19	38
	3807	00	01	38		1392	00	00	80
	3806	00	04	28		1381	00	00	10
	3815	00	01	92		2619	00	00	42
	3805	00	05	99		2620	00	00	10
	3804	00	11	68		2192	00	00	33
	3823	00	01	29		2623	00	15	95
	3822	00	01	34		2650	00	07	18
	3803	00	00	21		2649	00	13	20
KULBURU-4	1503	00	05	02		2634	00	05	71
	1489	00	15	76		2631	00	00	10
	1455	00	02	58		2630	00	08	18

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
KULBURI-4	3738	00	02	46	KHURI-3	1817	00	05	93
	3739	00	25	07		1819	00	08	04
	3737	00	00	13		1818	00	00	13
	3733	00	00	64		1820	00	00	77
	3732	00	04	11		1815	00	01	79
KHURI-3	574	00	00	45		1816	00	08	78
	575	00	00	10		1813	00	03	66
	573	00	10	80		1812	00	06	10
	572	00	06	48		1871	00	08	64
	571	00	07	45		1872	00	03	43
	578	00	00	25		1807	00	03	90
	2475	00	03	08		1805	00	01	12
	585	00	01	75		1804	00	02	50
	587	00	07	34		1803	00	00	30
	2132	00	03	48		1881	00	08	04
	2152	00	00	10		1882	00	00	22
	2151	00	16	64		1885	00	05	33
	2133	00	02	77		1886	00	12	91
	2134	00	02	56		1887	00	05	98
	2135	00	01	88		1888	00	01	05
	2136	00	00	62		1366	00	14	10
	2118	00	38	08		1367	00	03	90
	2141	00	00	17		1364	00	07	17
	2128	00	02	39		1365	00	00	10
	2126	00	03	35		1346	00	10	77
	2125	00	07	31		1359	00	00	58
	2124	00	00	60		1345	00	06	29
	2123	00	01	46		1344	00	03	00
	1651	00	18	82		1343	00	00	81
	1663	00	00	10		1347	00	15	63
	2091	00	01	43		1335	00	01	20
	1665	00	02	90		1334	00	02	33
	1666	00	01	12		1336	00	01	92
	2090	00	01	53		1333	00	06	71
	1667	00	05	58		1332	00	09	69
	1672	00	00	86		1331	00	02	41
	1668	00	07	97		1323	00	10	50
	1671	00	00	10		1327	00	00	27
	1669	00	06	65		1325	00	03	36
	2084	00	01	54		1324	00	08	26
	2478	00	00	96		1282	00	10	27
	1698	00	05	46		1302	00	04	87
	1697	00	01	34		1301	00	08	45
	1696	00	07	21		1300	00	08	92
	1695	00	00	93		1297	00	09	10
	1694	00	08	26		1304	00	00	77
	1714	00	02	59		1303	00	03	08
	1716	00	00	10		1266	00	15	84
	1715	00	09	35	SARITA-1	4883	00	09	92
	1718	00	00	10		4884	00	16	82
	1717	00	07	56					
	1824	00	00	11					

[F. No. R-25011/49/2010-OR-I]

B. K. DATTA, Under Secy.

नई दिल्ली, 21 दिसम्बर, 2010

क्रा. आ. 95.— भारत सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मैसर्स रिलाएन्स इंडस्ट्रीज लिमिटेड की आन्ध्र प्रदेश में पूर्वी तट पर ऑनशोर टर्मिनल से देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए, मैसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा काकीनाडा-वासुदेवपुर-हावड़ा पाइपलाइन विछाई जानी चाहिए;

और, भारत सरकार को उक्त पाइपलाइन विछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि, उस भूमि में, जिसके भीतर उक्त पाइपलाइन विछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपावद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए ;

अतः, अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितवद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन जारी की गई अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन विछाई जाने के लिए उपायोग के अधिकार के अर्जन के संबंध में श्री बज किशोर पंडा, सक्षम प्राधिकारी, रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड, प्रथम मंजिल, फोर्चुन टावर, चन्द्रशेखरपुर, भुवनेश्वर - 751023, ओडिशा राज्य को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

मंडल/ तेहसिल/ तालुक श्वेगुनीया	जिला : खोर्डा	राज्य : ओडिशा		
गाँव का नाम	सर्वे सं / सब डिविजन सं	आर.ओ.यू अर्जित करने के लिए क्षेत्रफल		
		हेक्टेयर	एयर	सि एयर
1	2	3	4	5
1) बोटालामा	1123	00	58	46
	1136	00	00	45
	1137	00	02	88
	1138	00	05	75
	1139	00	06	94
	1140	00	07	13
	1141	00	07	36
	1142	00	07	70
	1143	00	06	66
	1144	00	06	03
	1145	00	03	78
	1146	00	02	18
	1147	00	00	10
	1154	00	00	63
	1153	00	04	56
	1152	00	08	56
	1151	00	09	72
	1150	00	07	20
	1149	00	14	64
	1148	00	09	33
	1071	00	08	23
	1072	00	01	06
	1070	00	10	65

1	2	3	4	5
1) बोटालामा (निरंतर)	1069	00	10	65
	1064	00	00	54
	1065	00	10	36
	1066	00	17	23
	1058	00	00	73
	1067	00	08	43
	1057	00	03	83
	1068	00	12	75
	1056	00	04	35
	1053	00	09	09
	1054	00	02	55
	1052	00	07	26
	1047	00	27	75
	880	00	06	26
	881	00	06	29
	1037	00	01	51
	882	00	07	63
	884	00	00	36
	886	00	14	96
	885	00	04	63
	1265	00	00	10
	892	00	14	06
	891	00	02	42
	893	00	05	47
	899	00	28	53
	898	00	11	24
	895	00	03	51
	904	00	05	04
	920	00	00	10
	919	00	00	56
	918	00	03	04
	917	00	08	83
	916	00	01	80
	913	00	37	53
	675	00	02	74
	676	00	01	72
	684	00	00	10
	677	00	01	23
	674	00	05	39
	672	00	01	30
	1228	00	07	63
	673	00	09	32
	671	00	00	20
	547	00	06	51
	646	00	04	85
	528	00	16	02
	548	00	09	98
	527	00	19	75

1	2	3	4	5
1) बोटाल्ला (निरंतर)	550	00	13	00
	520	00	03	78
	568	00	05	99
	1247	00	01	90
	561	00	04	53
	567	00	09	11
	569	00	00	44
	1234	00	02	04
	566	00	03	39
	573	00	01	75
	572	00	05	01
	571	00	00	74
	495	00	06	95
	574	00	02	98
	494	00	01	46
	601	00	01	80
	600	00	07	41
	591	00	05	27
	1225	00	00	65
	1226	00	00	10
	590	00	02	84
	592	00	00	46
	593	00	03	46
	589	00	06	16
	1266	00	00	57
	588	00	02	85
	594	00	02	08
	587	00	00	61
	586	00	02	37
	627	00	08	07
	630	00	08	39
	629	00	24	71
2) छत्रापाडा	70	01	11	27
	71	00	08	88
	69	00	39	45
	103	00	01	86
	37	00	04	85
	38	00	13	23
	122/1557	00	00	10
	123	00	00	19
	34	00	01	40
	124	00	08	07
	125/1556	00	07	37
3) अठारंग	2093	00	65	09
	2104	00	00	47
	2105	00	14	90

1	2	3	4	5
3) अक्षरंग (निरंतर)	2110	00	00	23
	2111	00	07	93
	2112	00	01	94
	2113	00	00	52
	2309	00	02	68
	2119	00	02	39
	2120	00	01	75
	2308	00	00	26
	2121	00	03	61
	2126	00	02	78
	2125	00	08	10
	2128	00	10	85
	2145	00	05	18
	2146	00	14	77
	2144	00	02	28
	2149	00	09	72
	2152	00	03	42
	2166	00	06	31
	2165	00	01	71
	2164	00	06	85
	2157	00	07	16
	2156	00	00	26
	2155	00	01	17
	2158	00	01	20
	2159	00	04	99
	2160	00	05	74
	1770	00	01	16
	1769	00	09	32
	1768	00	01	31
	1743	00	06	00
	1745	00	01	97
	1744	00	01	70
	1742	00	02	63
	1741	00	05	48
	1631	00	00	57
	1632	00	06	53
	1633	00	01	74
	1736	00	06	41
	1737	00	00	27
	1635	00	03	16

1	2	3	4	5
3) अठारंग (निरंतर)	1646	00	04	29
	1637	00	05	31
	1645	00	02	63
	1638	00	01	09
	1639	00	05	74
	1641	00	11	22
	1580	00	05	01
	1579	00	02	55
	1582	00	02	46
	1576	00	04	10
	1575	00	05	96
	1564	00	00	45
	1567	00	02	70
	1574	00	02	85
	1571	00	05	40
	1568	00	04	64
	1569	00	00	10
	1570	00	07	08
	1479	00	25	64
	2523	00	06	75
	1456	00	04	67
	1454	00	00	10
	1443	00	25	83
	1444	00	07	11
	1445	00	06	55
	1398	00	00	18
	1409	00	04	46
	1412	00	03	78
	1413	00	06	71
	1414	00	00	10
	2525	00	00	10
	1406	00	03	05
	1404	00	00	10
	1405	00	04	47
4) रामचन्द्रपुर	1944	00	09	19
	1942	00	00	74
	1941	00	00	19
	1943	00	04	46
	1797	00	03	91
	1799	00	03	88

1	2	3	4	5
4) रामचन्द्रपुर (निरंतर)	1801	00	00	58
	1800	00	01	26
	1798	00	02	61
	1795	00	04	02
	1805	00	06	71
	1794	00	01	33
	1806	00	04	21
	1793	00	02	07
	1807	00	03	99
	2000	00	04	61
	1808	00	05	20
	1809	00	11	25
	1811	00	06	50
	1810	00	08	20
	1814	00	02	75
	1815	00	04	30
	1817	00	07	87
	1816	00	01	10
	1818	00	03	19
	1820	00	07	52
	1834	00	08	43
	1821	00	03	56
	1822	00	01	66
	1823	00	01	48
	1833	00	07	81
	1831	00	06	34
	1832	00	03	77
	1830	00	04	16
	605	00	00	59
	603	00	00	74
	2038	00	00	95
	600	00	02	95
	604	00	31	42
	427	00	01	74
	428	00	00	59
	429	00	00	49
	430	00	05	48
	431	00	05	86
	433	00	02	89
	434	00	06	67

1	2	3	4	5
4) रामचन्द्रपुर (निरंतर)	407	00	00	51
	406	00	04	92
	405	00	04	15
	435	00	03	51
	383	00	05	40
	384	00	06	80
	382	00	08	72
	380	00	00	57
	2023	00	00	72
	381	00	03	13
	357	00	00	25
	368	00	01	45
	369	00	02	32
	371	00	04	38
	370	00	00	55
	365	00	08	32
	367	00	01	12
	366	00	00	87
	360	00	02	43
	364	00	04	10
	362	00	01	13
	361	00	00	10
	363	00	01	10
	313	00	01	03
	312	00	05	76
	311	00	03	45
	310	00	00	92
	663	00	01	77
	665	00	16	40
	2008	00	04	80
	666	00	03	84
	667	00	07	73
	662	00	00	10
	309	00	00	95
5) कपिलेश्वरपुर	973	00	01	83
	978	00	04	64
	974	00	04	28
	975	00	01	89
	977	00	03	34
	1108	00	05	88

1	2	3	4	5
54) कपिलेश्वरपुर (निरतर)	1109	00	02	89
	1107	00	07	91
	1100	00	05	65
	1101	00	01	89
	1097	00	06	26
	1095	00	02	83
	109	00	03	13
	1091	00	03	33
	1093	00	01	22
	1092	00	03	92
	1083	00	01	34
	1082	00	15	23
	1038	00	06	89
	1033	00	02	47
	1036	00	04	77
	1137	00	00	40
	1035	00	04	10
	1172	00	02	09
	1181	00	00	19
	1131	00	00	80
	1175	00	05	60
	1177	00	16	50
	1178	00	02	28
	1176	00	03	46
6) बालीबेराजी	1378	00	01	03
	1377	00	02	67
	1376	00	24	20
	1375	00	00	99
	1372	00	03	79
	1373	00	11	49
	1369	00	00	18
	1327	00	10	00
	1328	00	00	97
	1329	00	04	64
	1338	00	00	89
	1330	00	02	06
	1331	00	01	84
	1332	00	01	24
	1229	00	00	63
	1333	00	01	74

1	2	3	4	5
6) बालीबेरानी (निरंतर)	1337	00	00	50
	1336	00	00	69
	1335	00	00	11
	1334	00	00	90
	1348	00	00	22
	1228	00	11	84
	1225	00	01	01
	1227	00	02	88
	1226	00	01	84
	1230	00	17	95
	1224	00	01	25
	1220	00	01	61
	1232	00	05	84
	1143	00	00	10
	1145	00	18	66
	1194	00	00	10
	1196	00	02	78
	1197	00	02	39
	1677	00	00	10
	1198	00	00	18
	1172	00	09	00
	1199	00	03	25
	1200	00	02	18
	1201	00	01	42
	1202	00	00	12
	1205	00	00	10
	1681	00	02	05
	1682	00	00	91
	1166	00	02	86
	1164	00	00	10
	1167	00	01	33
	1168	00	00	76
	1171	00	02	97
	1170	00	00	62
	1173	00	00	42
	1174	00	00	10
	1169	00	03	21
	1158	00	02	52
	1157	00	05	06
	1159	00	16	86

I	2	3	4	5
6) बालीबेरानी (निरंतर)	1105	00	42	89
	641	00	11	52
	647	00	00	67
	646	00	00	87
	644	00	17	22
	645	00	13	80
	655	00	03	69
	662	00	07	61
	643	00	08	65
	625	00	00	69
	624	00	01	09
	571	00	00	14
	570	00	01	30
	569	00	02	35
	568	00	01	35
	567	00	00	53
	566	00	00	50
	572	00	03	90
	563	00	34	16
	360	00	84	02
	361	00	01	13
	362	00	01	76
	363	00	19	39
	364	00	05	57
	365	00	29	27
	358	00	66	99
	354	00	09	69
	1623	00	09	02
	350	01	47	80
	353	00	04	23
	1671	00	05	31
	351	00	01	64
	348	00	02	20
	1700	00	13	44
7) राउतपारा	3610	00	34	36
	3602	00	04	89
	3603	00	04	85
	3604	00	02	62
	3605	00	00	37
	3601	00	08	26

1	2	3	4	5
7) राउतपारा (निरंतर)	3599	00	01	81
	3600	00	13	47
	3593	00	00	30
	3589	00	68	23
	3584	00	34	59
	3580	00	11	10
	3578	00	21	28
	3579	00	02	17
	3575	00	09	89
	3574	00	03	48
	3573	00	00	37
	3571	00	18	52
	3569	00	01	69
	4144	00	01	77
	3552	00	03	62
	3551	00	04	64
	3550	00	06	59
	3540	00	00	10
	3531	00	16	29
	3532	00	02	35
	3533	00	11	59
	1693	00	38	84
	1694	00	02	66
	1695	00	32	61
	2042	00	01	02
	2043	00	12	43
	2040	00	03	99
	2045	00	17	76
	2046	00	04	34
	2039	00	26	78
	2033	00	10	11
	2032	00	01	65
	2034	00	18	71
	2035	00	06	96
	2016	00	04	24
	2015	00	06	42
	2014	00	02	67
	2036	00	00	10
	4133	00	01	33
	2017	00	02	25

1	2	3	4	5
7) राजतपारा (निरंतर)	2011	00	92	92
	2010	00	00	12
	2012	00	04	32
	2013	00	02	42
	4083	00	18	86
	2076	00	06	43
	2077	00	36	37
	2079	00	28	57
	2081	00	00	44
	2082	00	00	45
	2083	00	00	83
	2080	00	01	64
	2943	00	01	80
	4079	00	00	76
	2816	00	00	44
	2815	00	00	55
	2084	00	12	41
	1288	00	35	78
	1285	00	01	95
	1284	00	66	13
	1280	00	18	58
	1281	00	12	09
	1282	00	01	61
	1045	00	00	40
	1044	00	11	23
	1043	00	06	58
	1027	00	14	08
	1047	00	01	48
	1026	00	18	27
	1052	00	11	66
	1053	00	04	45
	1055	00	14	53
	1056	00	08	82
	1274	00	01	82
	1060	00	02	18
	1061	00	00	55
	1059	00	17	13
	1058	00	06	52
	965	00	35	41
	954	00	00	10

1	2	3	4	5
7) राजतपारा (निरंतर)	953	00	03	49
	949	00	01	45
	948	00	00	75
	950	00	03	43
	951	00	04	04
	952	00	11	71
	433	00	04	96
	944	00	00	57
	434	00	14	53
	432	00	02	22
	440	00	00	10
	439	00	00	86
	445	00	00	15
	438	00	07	32
	435	00	00	26
	446	00	01	50
	437	00	04	51
	436	00	02	73
	447	00	05	04
	448	00	00	10
	453	00	03	91
	452	00	03	14
	451	00	02	25
	450	00	04	43
	449	00	00	92
	455	00	12	89
	462	00	04	43
	461	00	00	88
	460	00	05	80
	459	00	12	07
	456	00	00	10
	458	00	08	48
	484	00	01	16
	483	00	00	10
8) लेहंग	445	00	10	00
	444	00	13	56
	447	00	01	64
	459	00	18	22
	460	00	01	75
	469	00	10	95

1	2	3	4	5
8) लेहंग (निरंतर)	471	00	33	46
	1402	00	00	10
	472	00	00	83
	1401	00	01	16
	473	00	01	81
	1979	00	05	42
	1378	00	03	51
	1380	00	07	94
	1377	00	19	44
	1376	00	00	10
	1375	00	09	90
	1372	00	13	80
	1373	00	03	19
	479	00	00	10
	772	00	16	61
	768	00	00	30
	770	00	01	44
	771	00	03	81
	758	00	10	35
	774	00	00	10
	775	00	00	66
	776	00	05	09
	777	00	04	97
	778	00	07	47
	779	00	00	31
	780	00	07	12
	781	00	03	30
	782	00	03	54
	777	00	03	87
	783	00	06	35
	784	00	00	56
	788	00	01	22
	785	00	02	45
	786	00	02	18
	787	00	01	45
	789	00	04	06
	711	00	01	73
	710	00	02	64
	709	00	00	10
	712	00	01	62

1	2	3	4	5
8) लेहंग (निरंतर)	713	00	08	19
	708	00	00	57
	714	00	11	84
	707	00	00	61
	706	00	00	53
	703	00	00	73
	659	00	03	07
	660	00	09	64
	702	00	00	14
	701	00	00	11
	663	00	15	03
	661	00	01	22
	662	00	00	10
	700	00	00	25
	670	00	05	66
	668	00	00	91
	669	00	03	61
	671	00	03	95
	649	00	05	28
	648	00	06	97
	647	00	09	40
	646	00	12	13
	634	00	01	62
	635	00	10	45
	645	00	01	68
	636	00	08	59
	1833	00	09	94
	622	00	07	39
	628	00	00	10
	623	00	04	74
	621	00	09	93
	624	00	03	57
	960	00	00	27
	994	00	04	26
	620	00	03	91
	993	00	08	38
	996	00	07	10
	992	00	00	10
	991	00	05	24
	989	00	05	20

1	2	3	4	5
8) लेहंग (निरंतर)	990	00	06	80
	988	00	03	31
	987	00	00	93
	986	00	05	57
	1003	00	04	11
	1004	00	13	04
	1010	00	02	81
	1009	00	10	36
	1008	00	05	08
	1021	00	07	21
	1022	00	03	11
	1024	00	04	72
	1023	00	00	91
	1025	00	05	20
	1084	00	10	83
	1037	00	08	03
	1083	00	00	96
	1082	00	07	23
	1085	00	00	22
	1081	00	00	22
	1075	00	04	48
	1076	00	10	46
	1074	00	15	99
	1066	00	03	06
	1067	00	08	89
9) चुटीपलंग	595	00	00	17
	672	00	09	52
	671	00	10	49
	669	00	29	02
	663	00	12	20
	659	00	11	03
	657	00	08	32
	660	00	00	44
	656	00	06	55
	655	00	02	71
	625	00	13	01
	651	00	01	93
	626	00	04	11
	650	00	10	27
	627	00	00	11

1	2	3	4	5
(10) एनसायक्ला (निरंतर)	298/798	00	08	12
	233/607	00	11	62
	230/604	00	00	27
	229/603	00	13	32
	220/591	00	00	12
	219/590	00	09	66
	181/538	00	00	21
	207/575	00	17	96
	206/574	00	08	44
	182/539	00	06	55
	183/540	00	00	14
	198/566	00	04	49
	197/565	00	11	18
	184/541	00	10	97
	186/543	00	21	46
	135/475	00	01	39
	134/474	00	24	91
	131/471	00	00	10
	132/472	00	07	66
	133/473	00	07	65
	125/465	00	00	10
	126/466	00	14	91
	130/470	00	38	10
	185/542	00	07	80

[फा सं. एल.-14014/68/2010-जी.पी.]

स्नेह प्रभा मदान, अवर सचिव

New Delhi, the 21st December, 2010

S. O. 95.—Whereas it appears to Government of India that it is necessary in public interest that for transportation of natural gas from onshore terminal at East coast of Andhra Pradesh of M/s Reliance Industries Limited to consumers in various parts of the country, Kakinada - Basudebpur - Howrah pipeline should be laid by M/s Relogistics Infrastructure Limited;

And whereas, it appears to Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which are described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to Shri Braja Kishore Panda, Competent Authority, Relogistics Infrastructure Limited, 1st Floor, Fortune Tower, Chandrasekharpur, Bhubaneswar - 751023, Orissa State.

Schedule

Mandal/Tehsil/Taluk: Begunia		District: Khorda		State: Orissa	
Village	Survey No./Sub-Division	Area to be acquired for			
		Hec	Are	C-Are	
1	2	3	4	5	
1) Botalama	1123	00	58	46	
	1136	00	00	45	
	1137	00	02	88	
	1138	00	05	75	
	1139	00	06	94	
	1140	00	07	13	
	1141	00	07	36	
	1142	00	07	70	
	1143	00	06	66	
	1144	00	06	03	
	1145	00	03	78	
	1146	00	02	18	
	1147	00	00	10	
	1154	00	00	63	
	1153	00	04	56	
	1152	00	08	56	
	1151	00	09	72	
	1150	00	07	20	
	1149	00	14	64	
	1148	00	09	33	
	1071	00	08	23	
	1072	00	01	06	
	1070	00	10	65	
	1069	00	10	65	
	1064	00	00	54	
	1065	00	10	36	
	1066	00	17	23	
	1058	00	00	73	
	1067	00	08	43	
	1057	00	03	83	
	1068	00	12	75	
	1056	00	04	35	
	1053	00	09	09	
	1054	00	02	55	
	1052	00	07	26	
	1047	00	27	75	
	880	00	06	26	

1	2	3	4	5
1) Botalama (Contd)	881	00	06	29
	1037	00	01	51
	882	00	07	63
	884	00	00	36
	886	00	14	96
	885	00	04	63
	1265	00	00	10
	892	00	14	06
	891	00	02	42
	893	00	05	47
	899	00	28	53
	898	00	11	24
	895	00	03	51
	904	00	05	04
	920	00	00	10
	919	00	00	56
	918	00	03	04
	917	00	08	83
	916	00	01	80
	913	00	37	53
	675	00	02	74
	676	00	01	72
	684	00	00	10
	677	00	01	23
	674	00	05	39
	672	00	01	30
	1228	00	07	63
	673	00	09	32
	671	00	00	20
	547	00	06	51
	546	00	04	85
	528	00	16	02
	548	00	09	98
	527	00	19	75
	550	00	13	00
	520	00	03	78
	568	00	05	99
	1247	00	01	90
	561	00	04	53
	567	00	09	11

1	2	3	4	5
1) Botalama (Contd)	569	00	00	44
	1234	00	02	04
	566	00	03	39
	573	00	01	75
	572	00	05	01
	571	00	00	74
	495	00	06	95
	574	00	02	98
	494	00	01	46
	601	00	01	80
	600	00	07	41
	591	00	05	27
	1225	00	00	65
	1226	00	00	10
	590	00	02	84
	592	00	00	46
	593	00	03	46
	589	00	06	16
	1266	00	00	57
	588	00	02	35
	594	00	02	08
	587	00	00	61
	586	00	02	37
	627	00	08	07
	630	00	03	39
	629	00	24	71
2) Chhatrapada	70	01	11	27
	71	00	08	88
	69	00	39	45
	103	00	01	56
	37	00	04	85
	36	00	13	23
	122/1557	00	00	10
	123	00	00	19
	34	00	01	40
	124	00	08	07
	125/1556	00	07	37
3) Atharang	2093	00	65	00
	2104	00	00	47
	2105	00	14	90

1	2	3	4	5
3) Atharang (Contd)	2110	00	00	23
	2111	00	07	93
	2112	00	01	94
	2113	00	00	52
	2309	00	02	68
	2119	00	02	39
	2120	00	01	75
	2308	00	00	26
	2121	00	03	61
	2126	00	02	78
	2125	00	08	10
	2128	00	10	85
	2145	00	05	18
	2146	00	14	77
	2144	00	02	28
	2149	00	09	72
	2152	00	03	42
	2166	00	06	31
	2165	00	01	71
	2164	00	06	85
	2157	00	07	16
	2156	00	00	26
	2155	00	01	17
	2158	00	01	20
	2159	00	04	99
	2160	00	05	74
	1770	00	01	16
	1769	00	09	32
	1768	00	01	31
	1743	00	06	00
	1745	00	01	97
	1744	00	01	70
	1742	00	02	63
	1741	00	05	48
	1631	00	00	57
	1632	00	06	53
	1633	00	01	74
	1736	00	06	41
	1737	00	00	27
	1635	00	03	16

1	2	3	4	5
3) Atharang (Contd)	1646	00	04	29
	1637	00	05	31
	1645	00	02	63
	1638	00	01	09
	1639	00	05	74
	1641	00	11	22
	1580	00	05	01
	1579	00	02	55
	1582	00	02	46
	1576	00	04	10
	1575	00	05	96
	1564	00	00	45
	1567	00	02	70
	1574	00	02	85
	1571	00	05	40
	1568	00	04	64
	1569	00	00	10
	1570	00	07	08
	1479	00	25	64
	2523	00	06	75
	1456	00	04	67
	1454	00	00	10
	1443	00	25	83
	1444	00	07	11
	1445	00	06	55
	1398	00	00	18
	1409	00	04	46
	1412	00	03	78
	1413	00	06	71
	1414	00	00	10
	2525	00	00	10
	1406	00	03	05
	1404	00	00	10
	1405	00	04	47
4) Ramachandrapur	1944	00	09	19
	1942	00	00	74
	1941	00	00	19
	1943	00	04	46
	1797	00	03	91
	1799	00	03	88

1	2	3	4	5
4) Ramachandrapur (Contd)	1801	00	00	58
	1800	00	01	26
	1798	00	02	61
	1795	00	04	02
	1805	00	06	71
	1794	00	01	33
	1806	00	04	21
	1793	00	02	07
	1807	00	03	99
	2000	00	04	61
	1808	00	05	20
	1809	00	11	25
	1811	00	06	50
	1810	00	08	20
	1814	00	02	75
	1815	00	04	30
	1817	00	07	87
	1816	00	01	10
	1818	00	03	19
	1820	00	07	52
	1834	00	08	43
	1821	00	03	56
	1822	00	01	66
	1823	00	01	48
	1833	00	07	81
	1831	00	06	34
	1832	00	03	77
	1830	00	04	16
	605	00	00	59
	603	00	00	74
	2038	00	00	95
	600	00	02	95
	604	00	31	42
	427	00	01	74
	428	00	00	99
	429	00	00	49
	430	00	05	48
	431	00	05	80
	433	00	02	89
	434	00	06	67

1	2	3	4	5
4) Ramachandrapur (Contd)	407	00	00	51
	406	00	04	92
	405	00	04	15
	435	00	03	51
	383	00	05	40
	384	00	06	80
	382	00	08	72
	380	00	00	57
	2023	00	00	72
	381	00	03	13
	357	00	00	25
	368	00	01	45
	369	00	02	32
	371	00	04	38
	370	00	00	55
	365	00	08	32
	367	00	01	12
	366	00	00	87
	360	00	02	43
	364	00	04	10
	362	00	01	13
	361	00	00	10
	363	00	01	10
	313	00	01	03
	312	00	05	76
	311	00	03	45
	310	00	00	92
	663	00	01	77
	665	00	16	40
	2008	00	04	80
	666	00	03	84
	667	00	07	73
	662	00	00	10
	309	00	00	95
5) Kapileswarpur	973	00	01	83
	978	00	04	64
	974	00	04	28
	975	00	01	89
	977	00	03	34
	1108	00	05	88

1	2	3	4	5
5) Kapileswarpur (Contd)	1109	00	02	89
	1107	00	07	91
	1100	00	05	65
	1101	00	01	89
	1097	00	06	26
	1095	00	02	83
	109	00	03	13
	1091	00	03	33
	1093	00	01	22
	1092	00	03	92
	1083	00	01	34
	1082	00	15	23
	1038	00	06	89
	1033	00	02	47
	1036	00	04	77
	1137	00	00	40
	1035	00	04	10
	1172	00	02	09
	1181	00	00	19
	1131	00	00	80
	1175	00	05	60
	1177	00	16	50
	1178	00	02	28
	1176	00	03	46
6) Baliberani	1378	00	01	03
	1377	00	02	67
	1376	00	24	20
	1375	00	00	99
	1372	00	03	79
	1373	00	11	49
	1369	00	00	18
	1327	00	10	00
	1328	00	00	97
	1329	00	04	64
	1338	00	00	89
	1330	00	02	06
	1331	00	01	84
	1332	00	01	24
	1229	00	00	63
	1333	00	01	74

1	2	3	4	5
6) Bahiberani (Comd)	1337	00	00	50
	1336	00	00	69
	1335	00	00	11
	1334	00	00	90
	1348	00	00	22
	1228	00	11	84
	1225	00	01	01
	1227	00	02	88
	1226	00	01	84
	1230	00	17	95
	1224	00	01	25
	1220	00	01	61
	1232	00	05	84
	1143	00	00	10
	1145	00	18	66
	1194	00	00	10
	1196	00	02	78
	1197	00	02	39
	1677	00	00	10
	1198	00	00	18
	1172	00	09	00
	1199	00	03	25
	1200	00	02	18
	1201	00	01	42
	1202	00	00	12
	1205	00	00	10
	1681	00	02	05
	1682	00	00	91
	1166	00	02	86
	1164	00	00	10
	1167	00	01	33
	1168	00	00	76
	1171	00	02	97
	1170	00	01	62
	1173	00	00	42
	1174	00	00	10
	1169	00	03	21
	1158	00	02	52
	1157	00	05	06
	1159	00	16	96

1	2	3	4	5
6) Baliberani (Contd)	1105	00	42	89
	641	00	11	52
	647	00	00	67
	646	00	00	87
	644	00	17	22
	645	00	13	80
	655	00	03	69
	662	00	07	61
	643	00	08	65
	625	00	00	69
	624	00	01	09
	571	00	00	14
	570	00	01	30
	569	00	02	35
	568	00	01	35
	567	00	00	53
	566	00	00	50
	572	00	03	90
	563	00	34	16
	360	00	84	02
	361	00	01	13
	362	00	01	76
	363	00	19	39
	364	00	05	57
	365	00	29	27
	358	00	66	99
	354	00	09	69
	1623	00	09	02
	350	01	47	80
	353	00	04	23
	1671	00	05	31
	351	00	01	64
	348	00	02	20
	1700	00	13	44
7) Rautpara	3610	00	34	36
	3602	00	04	89
	3603	00	04	85
	3604	00	02	62
	3605	00	00	37
	3601	00	08	26

1	2	3	4	5
7) Rautpara (Contd)	3599	00	01	81
	3600	00	13	47
	3593	00	00	30
	3589	00	68	23
	3584	00	34	59
	3580	00	11	10
	3578	00	21	28
	3579	00	02	17
	3575	00	09	89
	3574	00	03	48
	3573	00	00	37
	3571	00	18	52
	3569	00	01	69
	4144	00	01	77
	3552	00	03	62
	3551	00	04	64
	3550	00	06	59
	3540	00	00	10
	3531	00	16	29
	3532	00	02	35
	3533	00	11	59
	1693	00	38	84
	1694	00	02	66
	1695	00	32	61
	2042	00	01	02
	2043	00	12	43
	2040	00	03	99
	2045	00	17	76
	2046	00	04	34
	2039	00	26	78
	2033	00	10	11
	2032	00	01	65
	2034	00	18	71
	2035	00	06	96
	2016	00	04	24
	2015	00	06	42
	2014	00	02	67
	2036	00	00	10
	4133	00	01	33
	2017	00	02	25

1	2	3	4	5
7) Rautpara (Contd)	2011	00	92	92
	2010	00	00	12
	2012	00	04	32
	2013	00	02	42
	4083	00	18	86
	2076	00	06	43
	2077	00	36	37
	2079	00	28	57
	2081	00	00	44
	2082	00	00	45
	2083	00	00	83
	2080	00	01	64
	2943	00	01	80
	4079	00	00	76
	2816	00	00	44
	2815	00	00	55
	2084	00	12	41
	1288	00	35	78
	1285	00	01	95
	1284	00	66	13
	1280	00	18	58
	1281	00	12	09
	1282	00	01	61
	1045	00	00	40
	1044	00	11	23
	1043	00	06	58
	1027	00	14	08
	1047	00	01	48
	1026	00	18	27
	1052	00	11	66
	1053	00	04	45
	1055	00	14	53
	1056	00	08	82
	1274	00	01	82
	1060	00	02	18
	1061	00	00	55
	1059	00	17	13
	1058	00	06	52
	965	00	35	41
	954	00	00	10

1	2	3	4	5
7) Rautpara (Contd)	953	00	03	49
	949	00	01	45
	948	00	00	75
	950	00	03	43
	951	00	04	04
	952	00	11	71
	433	00	04	96
	944	00	00	57
	434	00	14	53
	432	00	02	22
	440	00	00	10
	439	00	00	86
	445	00	00	15
	438	00	07	32
	435	00	00	26
	446	00	01	50
	437	00	04	51
	436	00	02	73
	447	00	05	04
	448	00	00	10
	453	00	03	91
	452	00	03	14
	451	00	02	25
	450	00	04	43
	449	00	00	92
	455	00	12	89
	462	00	04	43
	461	00	00	88
	460	00	05	80
	459	00	12	07
	456	00	00	10
	458	00	08	48
	484	00	01	16
	483	00	00	10
8) Lehangh	445	00	10	00
	444	00	13	56
	447	00	01	64
	459	00	18	22
	460	00	01	75
	469	00	10	95

1	2	3	4	5
8) Lhangh (Contd)	471	00	33	46
	1402	00	00	10
	472	00	00	83
	1401	00	01	16
	473	00	01	81
	1379	00	05	42
	1378	00	03	51
	1380	00	07	94
	1377	00	19	44
	1376	00	00	10
	1375	00	09	90
	1372	00	13	80
	1373	00	03	19
	479	00	00	10
	772	00	16	61
	769	00	00	30
	770	00	01	44
	771	00	03	81
	758	00	10	35
	774	00	00	10
	775	00	00	66
	776	00	05	09
	777	00	04	97
	778	00	07	47
	779	00	00	31
	780	00	07	12
	781	00	03	30
	782	00	03	54
	717	00	03	87
	783	00	06	35
	784	00	00	56
	788	00	01	22
	785	00	02	45
	786	00	02	18
	787	00	01	45
	789	00	04	06
	711	00	01	73
	710	00	02	64
	709	00	00	10
	712	00	01	62

1	2	3	4	5
8) Lenagh (Contd)	713	00	08	19
	708	00	00	57
	714	00	11	84
	707	00	00	61
	706	00	00	53
	703	00	00	73
	659	00	03	07
	660	00	09	64
	702	00	00	14
	701	00	00	11
	663	00	15	03
	661	00	01	22
	662	00	00	10
	700	00	00	25
	670	00	05	66
	668	00	00	91
	669	00	03	61
	671	00	03	95
	649	00	05	28
	648	00	06	97
	647	00	09	40
	646	00	12	13
	634	00	01	62
	635	00	10	45
	645	00	01	68
	636	00	08	59
	1833	00	09	94
	622	00	07	39
	628	00	00	10
	623	00	04	74
	621	00	09	93
	624	00	03	57
	960	00	00	27
	994	00	04	26
	620	00	03	91
	993	00	08	38
	996	00	07	10
	992	00	00	10
	991	00	05	24
	989	00	05	20

I	2	3	4	5
8) Lehangh (Contd)	990	00	06	80
	988	00	03	31
	987	00	00	93
	986	00	05	57
	1003	00	04	11
	1004	00	13	04
	1010	00	02	81
	1009	00	10	36
	1008	00	05	08
	1021	00	07	21
	1022	00	03	11
	1024	00	04	72
	1023	00	00	91
	1025	00	05	20
	1084	00	10	83
	1037	00	08	03
	1083	00	00	96
	1082	00	07	23
	1085	00	00	22
	1081	00	00	22
	1075	00	04	48
	1076	00	10	46
	1074	00	15	99
	1066	00	03	06
	1067	00	08	89
9) Chutapulang	595	00	00	17
	672	00	09	52
	671	00	10	49
	669	00	29	02
	663	00	12	20
	659	00	11	03
	657	00	08	32
	660	00	00	44
	656	00	06	55
	655	00	02	71
	625	00	13	01
	651	00	01	93
	626	00	04	11
	650	00	10	27
	627	00	00	11

1	2	3	4	5
9) Chaitipakung (Contd)	628	00	12	19
	713	00	00	87
	355	00	11	58
	354	00	08	68
	175	00	00	45
	340	00	04	23
	341	00	03	98
	338	00	02	84
	339	00	08	60
	315	00	00	98
	337	00	08	89
	336	00	00	10
	317	00	13	96
	319	00	19	24
	300	00	00	10
	301	00	05	28
	241	00	07	94
	296	00	04	87
	247	00	01	81
	248	00	12	89
	255	00	01	04
	253	00	04	72
	254	00	03	89
	252	00	03	85
	267	00	11	88
	706	00	10	18
	268	00	01	30
	266	00	04	06
	265	00	04	17
	269	00	00	10
	270	00	03	47
	272	00	05	14
	271	00	06	12
10) Panasabasta	698	00	00	25
	699	00	07	76
	291/700	00	14	23
	299/711	00	07	14
	297/707	00	02	30
	709	00	10	59
	710	00	04	90

1	2	3	4	5
(0) Panasabasta (Contd)	298/708	00	08	12
	233/607	00	11	62
	230/604	00	00	27
	229/603	00	13	32
	220/591	00	00	12
	219/590	00	09	66
	181/538	00	00	21
	207/575	00	17	96
	206/574	00	08	44
	182/539	00	06	55
	183/540	00	00	14
	198/566	00	04	49
	197/565	00	11	18
	184/541	00	10	97
	186/543	00	21	46
	135/475	00	01	39
	134/474	00	24	91
	131/471	00	00	10
	132/472	00	07	66
	133/473	00	07	65
	125/465	00	00	10
	126/466	00	14	91
	130/470	00	38	10
	185/542	00	07	80

[F. No. L-14014/68/2010-GP]
SNEH P. MADAN, Under Secy.

नई दिल्ली, 21 दिसम्बर, 2010

का. आ. 96.—भारत सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मैसर्स रिलाएन्स इंडस्ट्रीज लिमिटेड की आन्ध्र प्रदेश में पूर्वी तट पर ऑनशोर टर्मिनल से देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए, मैसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा काकीनाडा-वासुदेवपुर-हावड़ा पाइपलाइन विछाई जानी चाहिए;

और, भारत सरकार को उक्त पाइपलाइन विछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि, उस भूमि में, जिसके भीतर उक्त पाइपलाइन विछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपावद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए ;

अतः, अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितवद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन जारी की गई अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन विछाई जाने के लिए उपायोग के अधिकार के अर्जन के संबंध में श्री व्रज किशोर पंडा, सक्षम प्राधिकारी, रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड, प्रथम मंजिल, फोर्चुन टावर, चन्द्रशेखरपुर, भुवनेश्वर - 751023, ओडिशा राज्य को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

मंडल/ तेहसिल/ तालुक : वेगुनीया	जिला : खोर्डा	राज्य : ओडिशा		
गाँव का नाम	सर्वे सं / सब डिविजन सं	आर.ओ.दू अर्जित करने के लिए क्षेत्रफल		
		हेक्टेयर	एयर	सि एयर
1	2	3	4	5
1) अद्री	1789	00	00	82
	1788	00	10	56
	1761	00	26	50
	2032	00	02	86
	1760	00	04	05
	1762	00	05	66
	1758	00	02	14
	1763	00	08	37
	1764	00	12	73
	1754	00	04	28
	1752	00	01	81
	1753	00	03	14
	1746	00	06	08
	1732	00	07	56
	1733	00	05	78
	1727	00	06	37
	1726	00	05	59
	1719	00	07	32
	2119	00	12	08
	1217	00	11	94
	947	00	00	95
	944	00	05	24
	943	00	03	76
	934	00	02	31
	951	00	11	03
	928	00	11	44
	927	00	01	26
	926	00	00	47
	925	00	17	74
	921	00	04	24
	955	00	09	34
	956	00	01	15
	957	00	02	93
	962	00	08	64
	961	00	01	12
	960	00	04	84
	2118	00	06	16

1	2	3	4	5
1) अटी (निरंतर)	968	00	05	15
	971	00	02	60
	970	00	03	14
	979	00	09	55
	2087	00	05	36
	982	00	04	22
	987	00	04	31
	988	00	10	28
	1631	00	01	96
	1630	00	00	33
	1633	00	04	84
	1632	00	02	72
	2078	00	01	41
	1624	00	04	36
	1625	00	01	00
	1623	00	07	54
	1622	00	10	39
	1619	00	03	08
	1588	00	03	45
	1587	00	14	06
	1568	00	00	90
	1569	00	14	00
	1571	00	10	33
	1572	00	09	58
	1550	00	13	65
	1547	00	09	66
	1548	00	00	25
	1546	00	02	99
	2057	00	12	91
	1539	00	09	65
	1540	00	01	94
	1514	00	10	38
	1485	00	04	07
	1515	00	00	32
	1513	00	03	78
	1512	00	09	30
	1511	00	03	76
	1510	00	04	17
	1065	00	02	73
	1509	00	00	10
	1506	00	14	91
	1446	00	27	75

1	2	3	4	5
1) अटी (निरंतर)	1450	00	02	65
	1449	00	08	94
	1443	00	03	10
	1448	00	04	30
	1447	00	01	42
	2132	00	09	91
	1445	00	06	03
	1431	00	03	72
	1432	00	22	96
	1385	00	06	81
	1383	00	07	50
	1384	00	01	76
	1433	00	00	10
	1382	00	13	55
2) ब्यापारी	2971	00	14	55
	2899	00	03	04
3) लोकनाथपुर	252	00	04	66
	1391	00	02	23
	334	00	07	86
	390	00	00	10
	332	00	06	16
	331	00	08	03
	329	00	08	71
	321	00	08	11
	320	00	02	14
	319	00	03	78
	318	00	04	99
	322	00	05	49
	342	00	01	03
	316	00	08	66
	317	00	03	27
	310	00	00	10
	315	00	01	58
	314	00	05	56
	313	00	01	66
	511	00	01	08
	512	00	02	34
	526	00	05	79
	525	00	02	52
	527	00	02	38
	523	00	14	89
	529	00	01	02

1	2	3	4	5
3) लोकनाथपुर (निरंतर)	530	00	05	74
	1321	00	02	10
	545	00	04	69
	1322	00	00	30
	546	00	11	45
	544	00	51	51
	235	00	01	83
	235/1446	00	05	31
	233	00	01	56
	234	00	04	67
	232	00	03	89
	229	00	05	18
	224	00	01	36
	225	00	06	31
	227	00	03	15
	223	00	02	25
	220	00	02	62
	219	00	00	26
	209	00	23	73
	208	00	16	47
	207	00	00	59
	206	00	06	11
	181	00	09	73
	179	00	15	11
	166	00	01	74
	176	00	00	10
	172	00	13	32
	170	00	03	09
	171	00	02	82
	169	00	05	91
	168	00	03	07
	167	00	03	37
	583	00	03	69
	180	00	00	10
4) सरुआ	543	00	02	81
	544	00	07	70
	547	00	09	15
	546	00	00	62
	548	00	02	01
	549	00	10	50
	571	00	00	14
	570	00	01	28

1	2	3	4	5
4) सस्वा (निरंतर)	568	00	03	48
	567	00	04	61
	555	00	00	92
	566	00	06	13
	562	00	02	23
	563	00	00	70
	560	00	12	39
	559	00	08	10
	583	00	02	32
	584	00	13	70
	587	00	00	18
	585	00	01	11
	2142	00	02	68
	586	00	03	56
	2103	00	01	91
	418	00	08	80
	419	00	06	75
	416	00	07	44
	424	00	00	14
	426	00	01	10
	425	00	00	34
	427	00	01	11
	428	00	00	47
	429	00	07	98
	274	00	02	03
	272	00	05	77
	276	00	00	28
	273	00	01	67
	271	00	03	92
	270	00	01	22
	268	00	03	20
	267	00	01	04
	278	00	02	85
	266	00	01	90
	259	00	26	27
	257	00	01	49
	258	00	07	40
	208	00	01	17
	209	00	03	19
	244	00	19	11
	223	00	11	15
	232	00	08	25

1	2	3	4	5
4) सरुआ (निरंतर)	226	00	20	24
	229	00	04	38
	228	00	14	93
	106	00	25	83
	105	00	01	37
	2060	00	02	40
	104	00	01	01
	107/2168	00	04	26
	21	00	07	96
	109	00	04	51
	108	00	06	21
	110	00	00	10
	111	00	10	35
	97	00	28	32
	117	00	00	18
	98/2020	00	00	10
	98	00	00	70
	613/2101	00	00	55
	33	00	05	42
	34	00	05	62
	32	00	05	13
	35	00	06	57
	36	00	02	24
	31	00	04	03
	30	00	00	56
	29	00	02	82
	27	00	01	60
	28	00	02	56
	24	00	00	10
	23	00	00	10
5) कथखुंटीया	7	00	11	20
	8	00	11	27
	6	00	10	66
	1	00	09	72
	2	00	04	71
	5	00	01	74
	13	00	00	53
6) पटनीबार	537	00	03	94
	543	00	02	72
	538	00	07	77
	539	00	11	46
	542	00	00	95

1	2	3	4	5
6) पटनीबार (निरंतर)	540	00	03	34
	535	00	02	38
	534	00	01	05
	533	00	06	19
	752	00	12	27
	541	00	00	40
	526	00	10	09
	511	00	09	81
	510	00	01	02
	509	00	01	02
	508	00	01	06
	491	00	03	90
	507	00	02	64
	506	00	02	13
	505	00	02	18
	504	00	02	38
	501	00	03	17
	500	00	01	96
	493	00	02	56
	499	00	02	87
	502	00	00	14
	503	00	00	10
	483	00	09	58
	494	00	02	98
	498	00	01	12
	495	00	01	84
	469	00	05	22
	470	00	16	82
	471	00	11	15
	468	00	03	72
	465	00	00	27
	747	00	07	56
	464	00	16	05
	453	00	08	11
	451	00	04	97
	435	00	00	10
	452	00	04	22
	449	00	04	42
	450	00	10	51
	446	00	00	10
	441	00	46	86
	439	00	00	10

1	2	3	4	5
6) पटनीबार (निरंतर)	259	00	09	97
	379	00	03	04
	378	00	18	35
	351	00	00	10
	353	00	05	93
	367	00	10	83
	355	00	00	10
	366	00	02	00
	368	00	03	59
	369	00	03	33
	370	00	13	33
	365	00	00	10
	372	00	00	39
	373	00	07	25
	375	00	21	29
	374	00	00	20
	122	00	04	34
	123	00	05	90
	126	00	00	13
	127	00	02	12
	128	00	04	60
	121	00	00	30
	129	00	01	91
	130	00	02	09
	140	00	05	39
	139	00	03	90
	135	00	13	04
	131	00	01	13
	132	00	01	93
	134	00	03	71
	133	00	00	10
	136	00	00	78
	138	00	00	10
	137	00	00	20
	160	00	20	15
	98	00	05	69
	102	00	00	54
	101	00	03	50
	105	00	04	41
	106	00	05	06
	87	00	10	13
	86	00	03	12

1	2	3	4	5
6) पटनीबार (निरंतर)	84	00	03	44
	83	00	09	86
	82	00	14	68
मंडल/ तेहसिल/ तालुक :खोरडा	जिला :खोरडा	राज्य :ओडिशा		
1) कुंभीलो	2071	00	03	73
	2073	00	04	66
	2074	00	03	80
	2076	00	02	09
	560/2068	00	03	58
	561/2069	00	15	26
	2070	00	21	14
	554/2059	00	07	54
	552/2057	00	10	69
	553/2058	00	08	93
	2015	00	23	19
	610/2166	00	05	29
	2167	00	02	47
	2023	00	00	48
	2022	00	02	03
	2025	00	01	22
	2026	00	01	43
	2021	00	06	81
	2020	00	03	75
	2016	00	13	23
	2018	00	01	99
	2017	00	06	21
	2027	00	00	10
	2028	00	00	10
	22/860	00	02	57
	20/858	00	10	56
	23/861	00	11	80
	28/867	00	14	17
	27/866	00	23	09
	31/874	00	10	43
	13/839	00	14	13
	34/877	00	06	98
	11/837	00	17	86
	10/836	00	00	24
	3/828	00	11	84
	829	00	05	81
	1/825	00	10	66
	817	00	24	47
	815	00	17	96

1	2	3	4	5
1) कुम्भीलो (निरंतर)	820	00	02	35
	821	00	10	36
	1158	00	00	10
	1157	00	02	66
	1156	00	03	59
	1155	00	14	82
	1154	00	10	25
	1171	00	17	61
	1188	00	00	70
	1187	00	12	09
	1196	00	06	38
	1195	00	00	45
	1197	00	01	43
	1186	00	05	89
	1202	00	00	10
	1185	00	02	18
	1177	00	00	40
	1184	00	02	01
	1203	00	00	46
	1182	00	01	20
	1183	00	03	68
	1204	00	01	39
	1181	00	02	71
	1180	00	01	60
	1205	00	01	20
	1206	00	00	82
	440	00	02	54
	441	00	00	52
	442	00	00	52
	439	00	02	75
	438	00	00	90
	417	00	04	48
	2019	00	03	96
	30/870	00	10	53
2) बसंता	265	00	01	66
	296	00	13	33
	287	00	13	97
	284	00	01	17
	286	00	13	65
	288	00	30	05
	294	00	00	27
	293	00	05	95

1	2	3	4	5
2) बसंता (निरंतर)	292	00	04	89
	289	00	00	82
	291	00	07	86
	306	00	12	65
	308	00	01	95
	307	00	04	13
	310	00	00	73
	311	00	16	72
	312	00	01	89
	314	00	01	13
	313	00	02	29
	1047	00	01	77
	317	00	06	76
	1043	00	00	96
	318	00	00	64
	1042	00	56	23
	1022/2107	00	01	45
	1022	00	02	01
	1021	00	04	78
	1023	00	00	10
	2110	00	00	10
	1020/2111	00	05	62
	1020	00	00	29
	1018	00	05	30
	1007	00	03	24
	1006	00	03	67
	351/1008	00	09	74
	350/1005	00	03	21
	351/1009	00	02	56
	341/995	00	00	10
	996	00	04	33
	343/998	00	10	27
	342/997	00	07	25
	337/991	00	06	15
	989	00	00	10
	336/990	00	04	63
	332/981	00	05	00
	330/979	00	11	55
	317/966	00	10	88
	318/967	00	00	44
	316/964	00	10	04
	965	00	00	17

1	2	3	4	5
2) बसंता (निरंतर)	313/960	00	05	52
	953	00	03	79
	952	00	03	73
	302/947	00	05	37
	939	00	00	10
	301/912	00	07	90
	942	00	01	98
	298/941	00	04	09
	927	00	03	34
	288/926	00	03	17
	287/923	00	07	33
	5/429	00	03	89
	286/922	00	00	10
	430	00	05	10
	7/432	00	09	74
	15/444	00	06	17
	445	00	04	36
	16/446	00	03	08
	447	00	00	85
	842	00	21	85
	17/449	00	01	78
	71/546	00	07	56
	72/547	00	02	46
	843/2096	00	09	53
	70/545	00	02	45
	75/557	00	07	05
	551	00	01	38
	79/556	00	03	90
	80/557	00	01	78
	78/555	00	01	35
	77/554	00	00	59
	85/563	00	00	10
	84/562	00	11	57
	86/566	00	07	09
	89/569	00	02	64
	90/570	00	08	14
	91/571	00	03	45
	247/816	00	00	35
	246/815	00	01	92
	99/587	00	03	36
	100/588	00	04	77
	101/589	00	09	63

1	2	3	4	5
2) बसंता (निरंतर)	245/814	00	01	87
	183/727	00	12	37
	813	00	00	64
	243/811	00	02	43
	185/731	00	10	29
	186/732	00	08	89
	195/742	00	06	23
	194/740	00	01	91
	743	00	11	04
	193/739	00	03	01
	224/787	00	10	48
	228/292	00	01	76
	226/790	00	15	40
	789	00	05	47
	221/783	00	00	39
	220/782	00	01	00
	781	00	00	10
	217/778	00	28	78
	211/769	00	03	43
	210/768	00	01	62
	767	00	07	75
3) ब्रह्मणाबेरेनी	818	00	07	09
	819	00	05	06
	820	00	04	54
	821	00	06	69
	825	00	03	60
	822	00	00	78
	827	00	01	49
	826	00	02	30
	837	00	00	45
	835	00	03	70
	832	00	11	84
	836	00	02	41
	881	00	02	62
	880	00	05	87
	879	00	04	18
	841	00	00	24
	847	00	03	43
	848	00	09	73
	849	00	06	46
	846	00	02	70
	852	00	13	87

1	2	3	4	5
3) ब्रह्मबेरेनी (निरंतर)	857	00	05	32
	856	00	04	57
	855	00	02	48
	854	00	12	21
	711	00	02	46
	932	00	01	20
	707	00	06	91
	710	00	01	00
	709	00	04	89
	339	00	00	61
	340	00	06	88
	341	00	06	94
	342	00	00	10
	346	00	15	45
	347	00	03	85
	350	00	03	06
	349	00	08	56
	336	00	07	73
	335	00	01	04
	375	00	10	43
	334	00	00	96
	332	00	09	31
	333	00	06	33
	331	00	09	27
	330	00	23	18
	321	00	00	92
	322	00	01	15
	323	00	04	84
	329	00	19	17
	390/1496	00	00	94
	328	00	00	43
	390/1495	00	02	72
4) हस्तासही	305	00	08	01
	307/966	00	00	20
	304	00	12	50
	303	00	06	38
	302	00	05	54
	310	00	03	13
	311	00	24	79
	313	00	01	08
	299	00	00	11
	299/976	00	01	00

1	2	3	4	5
4) हतासाही (निरंतर)	299/975	00	00	83
	298/974	00	00	28
	312	00	03	12
	405	00	02	32
	406	00	08	20
	407	00	05	21
	424	00	00	17
	408	00	10	23
	423	00	11	45
	421	00	03	75
	416	00	01	18
	417	00	02	46
	418	00	00	31
	412	00	02	76
	505	00	08	79
	502	00	11	60
	501	00	08	87
	500	00	03	71
	494	00	05	88
	490	00	00	10
	495	00	04	31
	488	00	00	34
	487	00	13	00
	486	00	00	22
	481	00	03	22
	480	00	04	50
	482	00	16	89
	483	00	06	92
5) कुआपुत	3087	00	17	69
	3088	00	03	22
	3089	00	01	41
	3092	00	01	13
	3093	00	03	22
	3094	00	04	36
	3095	00	00	57
	3099	00	07	03
	3098	00	00	10
	3100	00	07	90
	3102	00	08	67
	3103	00	01	61
	3104	00	03	68
	3105	00	02	50

1	2	3	4	5
5) कुआपुत (निरतर)	3116	00	11	64
	3117	00	01	49
	3118	00	04	09
	3119	00	00	10
	3160	00	09	46
	3161	00	05	68
	3172	00	00	95
	3286	00	11	34
	3162	00	00	78
	3163	00	00	82
	3287	00	00	27
	3165	00	06	79
	3164	00	01	63
	3166	00	02	49
	3171	00	14	83
	3180	00	01	20
	3231	00	09	18
	3230	00	00	51
	3232	00	08	64
	3229	00	00	21
	3226	00	01	72
	3233	00	05	83
	3234	00	01	90
	3225	00	00	70
	3235	00	04	24
	3236	00	09	41
	1724	00	09	74
	1723	00	01	74
	1721	00	04	93
	1725	00	02	86
	1726	00	00	14
	1720	00	05	56
	1767	00	01	92
	1795	00	00	10
	1796	00	14	00
	1803	00	14	73
	1804	00	11	51
	1805	00	11	28
	1806	00	07	66
	1688	00	04	94
	1888	00	02	88
	1886	00	08	21

1	2	3	4	5
5) कुआपुत (निरंतर)	1687	00	00	10
	1683	00	02	77
	1684	00	06	92
	1682	00	16	28
	1327	00	00	70
	1328	00	00	10
	1322	00	04	28
	1326	00	03	51
	1323	00	00	67
	1334	00	00	66
	1325	00	04	51
	1324	00	05	13
	1319	00	00	51
	1318	00	05	35
	1317	00	00	10
	1237	00	01	74
	1238	00	13	08
	1263	00	00	14
	1240	00	01	30
	1239	00	04	27
	1241	00	04	70
	1242	00	03	86
	1227	00	06	77
	1243	00	07	37
	1226	00	04	55
	1154	00	07	83
	1244	00	00	31
	1155	00	00	22
	1153	00	10	21
	1156	00	01	31
	1152	00	08	77
	1151	00	09	41
	1083	00	01	98
	1108	00	03	52
	1109	00	00	10
	1088	00	01	14
	1089	00	00	73
	1090	00	00	36
	1107	00	01	90
	1106	00	03	13
	1110	00	00	85
	1105	00	03	53

1	2	3	4	5
5) कुआपुत (निरंतर)	1091	00	01	95
	1104	00	10	04
	1103	00	02	05
	1098	00	07	35
	1102	00	06	00
	1101	00	02	83
	1100	00	02	27
	1099	00	00	58

[फा सं. एल.-14014/69/2010-जी.पी.]

स्नेह प्रभा मदान, अवर सचिव

New Delhi, the 21st December, 2010

S. O. 96.—Whereas it appears to Government of India that it is necessary in public interest that for transportation of natural gas from onshore terminal at East coast of Andhra Pradesh of M/s Reliance Industries Limited to consumers in various parts of the country, Kakinada - Basudebpur - Howrah pipeline should be laid by M/s Relogistics Infrastructure Limited;

And whereas, it appears to Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which are described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to Shri Braja Kishore Panda, Competent Authority, Relogistics Infrastructure Limited, 1st Floor, Fortune Tower, Chandrasekharapur, Bhubaneswar - 751023, Orissa State.

Schedule

Mandal/Tehsil/Taluk: Begunia		District: Khorda		State: Orissa	
Village	Survey No./Sub-Division	Area to be acquired for			
		Hec	Are	C-Are	
1	2	3	4	5	
1) Atri	1789	00	00	82	
	1788	00	10	56	
	1761	00	26	50	
	2032	00	02	86	
	1760	00	04	05	
	1762	00	05	66	
	1758	00	02	14	
	1763	00	08	37	
	1764	00	12	73	
	1754	00	04	28	
	1752	00	01	81	
	1753	00	03	14	
	1746	00	06	08	
	1732	00	07	56	
	1733	00	05	78	
	1727	00	06	37	
	1726	00	05	59	
	1719	00	07	32	
	2119	00	12	08	
	1217	00	11	94	
	947	00	00	95	
	944	00	05	24	
	943	00	03	76	
	934	00	02	31	
	951	00	11	03	
	928	00	11	44	
	927	00	01	26	
	926	00	00	47	
	925	00	17	74	
	921	00	04	24	
	955	00	09	34	
	956	00	01	15	
	957	00	02	93	
	962	00	08	64	
	961	00	01	12	
	960	00	04	84	
	2118	00	06	16	

1	2	3	4	5
1) Atn (Contd)	968	00	05	15
	971	00	02	60
	970	00	03	14
	979	00	09	55
	2087	00	05	36
	982	00	04	22
	987	00	04	31
	988	00	10	28
	1631	00	01	96
	1630	00	00	33
	1633	00	04	84
	1632	00	02	72
	2078	00	01	41
	1624	00	04	36
	1625	00	01	00
	1623	00	07	54
	1622	00	10	39
	1619	00	03	08
	1588	00	03	45
	1587	00	14	06
	1568	00	00	90
	1569	00	14	00
	1571	00	10	33
	1572	00	09	58
	1550	00	13	65
	1547	00	09	66
	1548	00	00	25
	1546	00	02	99
	2057	00	12	91
	1539	00	09	65
	1540	00	01	94
	1514	00	10	38
	1485	00	04	07
	1515	00	00	32
	1513	00	03	76
	1512	00	09	30
	1511	00	03	76
	1510	00	04	17
	1065	00	02	73
	1509	00	00	10
	1506	00	14	91
	1446	00	27	75

1	2	3	4	5
1) Atri (Contd)	1450	00	02	65
	1449	00	08	94
	1443	00	03	10
	1448	00	04	30
	1447	00	01	42
	2132	00	09	91
	1445	00	06	03
	1431	00	03	72
	1432	00	22	96
	1385	00	06	81
	1383	00	07	50
	1384	00	01	76
	1433	00	00	10
	1382	00	13	55
2) Baghamari	2971	00	14	55
	2899	00	03	04
3) Loknathpur	252	00	04	66
	1391	00	02	23
	334	00	07	86
	390	00	00	10
	332	00	06	16
	331	00	08	03
	329	00	08	71
	321	00	08	11
	320	00	02	14
	319	00	03	78
	318	00	04	99
	322	00	05	49
	342	00	01	03
	316	00	08	66
	317	00	03	27
	310	00	00	10
	315	00	01	58
	314	00	05	56
	313	00	01	66
	511	00	01	08
	512	00	02	34
	526	00	05	79
	525	00	02	52
	527	00	02	38
	523	00	14	89
	529	00	01	02

1	2	3	4	5
3) Loknathpur (Contd)	530	00	05	74
	1321	00	02	10
	545	00	04	69
	1322	00	00	30
	546	00	11	45
	544	00	51	51
	235	00	01	83
	235/1446	00	05	31
	233	00	01	56
	234	00	04	67
	232	00	03	89
	229	00	05	18
	224	00	01	36
	225	00	06	31
	227	00	03	15
	223	00	02	25
	220	00	02	62
	219	00	00	26
	209	00	23	73
	208	00	16	47
	207	00	00	59
	206	00	06	11
	181	00	09	73
	179	00	15	11
	166	00	01	74
	176	00	00	10
	172	00	13	32
	170	00	03	09
	171	00	02	82
	169	00	05	91
	168	00	03	07
	167	00	03	37
	583	00	03	69
	180	00	00	10
4) Sarua	543	00	02	81
	544	00	07	70
	547	00	09	15
	546	00	00	62
	548	00	02	01
	549	00	10	50
	571	00	00	14
	570	00	01	28

1	2	3	4	5
4) Sarua (Contd)	568	00	03	48
	567	00	04	61
	555	00	00	92
	566	00	06	13
	562	00	02	23
	563	00	00	70
	560	00	12	39
	559	00	08	10
	583	00	02	32
	584	00	13	70
	587	00	00	18
	585	00	01	11
	2142	00	02	68
	586	00	03	56
	2103	00	01	91
	418	00	08	80
	419	00	06	75
	416	00	07	44
	424	00	00	14
	426	00	01	10
	425	00	00	34
	427	00	01	11
	428	00	00	47
	429	00	07	98
	274	00	02	03
	272	00	05	77
	276	00	00	28
	273	00	01	67
	271	00	03	92
	270	00	01	22
	268	00	03	20
	267	00	01	04
	278	00	02	85
	266	00	01	90
	259	00	26	27
	257	00	01	49
	258	00	07	40
	208	00	01	17
	209	00	03	19
	244	00	19	11
	223	00	11	15
	232	00	08	25

1	2	3	4	5
4) Sarua (Contd)	226	00	20	24
	229	00	04	38
	228	00	14	93
	106	00	25	83
	105	00	01	37
	2060	00	02	40
	104	00	01	01
	107/2168	00	04	26
	21	00	07	96
	109	00	04	51
	108	00	06	21
	110	00	00	10
	111	00	10	35
	97	00	28	32
	117	00	00	18
	98/2020	00	00	10
	98	00	00	70
	613/2101	00	00	55
	33	00	05	42
	34	00	05	62
	32	00	05	13
	35	00	06	57
	36	00	02	24
	31	00	04	03
	30	00	00	56
	29	00	02	82
	27	00	01	60
	28	00	02	56
	24	00	00	10
	23	00	00	10
5) Kathkhuntia	7	00	11	20
	8	00	11	27
	6	00	10	66
	1	00	09	72
	2	00	04	71
	5	00	01	74
	13	00	00	53
6) Patnibar	537	00	03	94
	543	00	02	72
	538	00	07	77
	539	00	11	46
	542	00	00	95

1	2	3	4	5
6) Patnihar (Contd)	540	00	03	34
	535	00	02	38
	534	00	01	05
	533	00	06	19
	752	00	12	27
	541	00	00	40
	526	00	10	09
	511	00	09	81
	510	00	01	02
	509	00	01	02
	508	00	01	06
	491	00	03	90
	507	00	02	64
	506	00	02	13
	505	00	02	18
	504	00	02	38
	501	00	03	17
	500	00	01	96
	493	00	02	56
	499	00	02	87
	502	00	00	14
	503	00	00	10
	483	00	09	58
	494	00	02	98
	498	00	01	12
	495	00	01	84
	469	00	05	22
	470	00	16	82
	471	00	11	15
	468	00	03	72
	465	00	00	27
	747	00	07	56
	464	00	16	05
	453	00	08	11
	451	00	04	97
	435	00	00	10
	452	00	04	22
	449	00	04	42
	450	00	10	51
	446	00	00	10
	441	00	46	86
	439	00	00	10

1	2	3	4	5
6) Patnibar (Contd)	259	00	09	97
	379	00	03	04
	378	00	18	35
	351	00	00	10
	353	00	05	93
	367	00	10	83
	355	00	00	10
	366	00	02	00
	368	00	03	59
	369	00	03	33
	370	00	13	33
	365	00	00	10
	372	00	00	39
	373	00	07	25
	375	00	21	29
	374	00	00	20
	122	00	04	34
	123	00	05	90
	126	00	00	13
	127	00	02	12
	128	00	04	60
	121	00	00	30
	129	00	01	91
	130	00	02	09
	140	00	05	39
	139	00	03	90
	135	00	13	04
	131	00	01	13
	132	00	01	93
	134	00	03	71
	133	00	00	10
	136	00	00	78
	138	00	00	10
	137	00	00	20
	160	00	20	15
	98	00	05	69
	102	00	00	54
	101	00	03	50
	105	00	04	41
	106	00	05	06
	87	00	10	13
	86	00	03	12

1	2	3	4	5
6) Patnibar (Contd)	84	00	03	44
	83	00	09	86
	82	00	14	68
Mandal/Tehsil/Taluk:Khorda	District:Khorda	State:Orissa		
1) Kumbhilo	2071	00	03	73
	2073	00	04	66
	2074	00	03	80
	2076	00	02	09
	560/2068	00	03	58
	561/2069	00	15	26
	2070	00	21	14
	554/2059	00	07	54
	552/2057	00	10	69
	553/2058	00	08	93
	2015	00	23	19
	610/2166	00	05	29
	2167	00	02	47
	2023	00	00	48
	2022	00	02	03
	2025	00	01	22
	2026	00	01	43
	2021	00	06	81
	2020	00	03	75
	2016	00	13	23
	2018	00	01	99
	2017	00	06	21
	2027	00	00	10
	2028	00	00	10
	22/860	00	02	57
	20/858	00	10	56
	23/861	00	11	80
	28/867	00	14	17
	27/866	00	23	09
	31/874	00	10	43
	13/839	00	14	13
	34/877	00	06	98
	11/837	00	17	86
	10/836	00	00	24
	3/828	00	11	84
	829	00	05	81
	1/825	00	10	66
	817	00	24	47
	815	00	17	96

1	2	3	4	5
1) Kumbhilo (Contd)	820	00	02	35
	821	00	10	36
	1158	00	00	10
	1157	00	02	66
	1156	00	03	59
	1155	00	14	82
	1154	00	10	25
	1171	00	17	61
	1188	00	00	70
	1187	00	12	09
	1196	00	06	38
	1195	00	00	45
	1197	00	01	43
	1186	00	05	89
	1202	00	00	10
	1185	00	02	18
	1177	00	00	40
	1184	00	02	01
	1203	00	00	46
	1182	00	01	20
	1183	00	03	68
	1204	00	01	39
	1181	00	02	71
	1180	00	01	60
	1205	00	01	20
	1206	00	00	82
	440	00	02	54
	441	00	00	52
	442	00	00	52
	439	00	02	75
	438	00	00	90
	417	00	04	48
	2019	00	03	96
	30/870	00	10	53
2) Basanta	265	00	01	66
	296	00	13	33
	287	00	13	97
	284	00	01	17
	286	00	13	65
	288	00	30	05
	294	00	00	27
	293	00	05	95

1	2	3	4	5
2) Basanta (Contd)	292	00	04	89
	289	00	00	82
	291	00	07	86
	306	00	12	65
	308	00	01	95
	307	00	04	13
	310	00	00	73
	311	00	16	72
	312	00	01	89
	314	00	01	13
	313	00	02	29
	1047	00	01	77
	317	00	06	76
	1043	00	00	96
	318	00	00	64
	1042	00	56	23
	1022/2107	00	01	45
	1022	00	02	01
	1021	00	04	78
	1023	00	00	10
	2110	00	00	10
	1020/2111	00	05	62
	1020	00	00	29
	1018	00	05	30
	1007	00	03	24
	1006	00	03	67
	351/1008	00	09	74
	350/1005	00	03	21
	351/1009	00	02	56
	341/995	00	00	10
	996	00	04	33
	343/998	00	10	27
	342/997	00	07	25
	337/991	00	06	15
	989	00	00	10
	336/990	00	04	63
	332/981	00	05	00
	330/979	00	11	55
	317/966	00	10	88
	318/967	00	00	44
	316/964	00	10	04
	965	00	00	17

1	2	3	4	5
2) Basanta (Contd)	313/960	00	05	52
	953	00	03	79
	952	00	03	73
	302/947	00	05	37
	939	00	00	10
	301/912	00	07	90
	942	00	01	98
	298/941	00	04	09
	927	00	03	34
	288/926	00	03	17
	287/923	00	07	33
	5/429	00	03	89
	286/922	00	00	10
	430	00	05	10
	7/432	00	09	74
	15/444	00	06	17
	445	00	04	36
	16/446	00	03	08
	447	00	00	85
	842	00	21	85
	17/449	00	01	78
	71/546	00	07	56
	72/547	00	02	46
	843/2096	00	09	53
	70/545	00	02	45
	75/557	00	07	05
	551	00	01	38
	79/556	00	03	90
	80/557	00	01	78
	78/555	00	01	35
	77/554	00	00	59
	85/563	00	00	10
	84/562	00	11	57
	86/566	00	07	09
	89/569	00	02	64
	90/570	00	08	14
	91/571	00	03	45
	247/816	00	00	35
	246/815	00	01	92
	99/587	00	03	36
	100/588	00	04	77
	101/589	00	09	63

1	2	3	4	5
2) Basantia (Conid)	245/814 183/727 813 243/811 185/731 186/732 195/742 194/740 743 193/739 224/787 228/292 226/790 789 221/783 220/782 781 217/778 211/769 210/768 767	00 00	01 12 00 02 10 08 06 01 11 03 10 01 15 05 00 01 00 28 03 01 07	87 37 64 43 29 89 23 91 04 01 48 76 40 47 39 00 10 78 43 62 75
3) Brahmanaberani	818 819 820 821 825 822 827 826 837 835 832 836 881 880 879 841 847 848 849 846 852	00 00	07 05 04 06 03 00 01 02 00 03 11 02 02 05 04 00 03 09 06 02 13	09 06 54 69 60 78 49 30 45 70 84 41 62 87 18 24 43 73 46 70 87

1	2	3	4	5
3) Brahmanabereni (Contd)	857	00	05	32
	856	00	04	57
	855	00	02	48
	854	00	12	21
	711	00	02	46
	932	00	01	20
	707	00	06	91
	710	00	01	00
	709	00	04	89
	339	00	00	61
	340	00	06	88
	341	00	06	94
	342	00	00	10
	346	00	15	45
	347	00	03	85
	350	00	03	06
	349	00	08	56
	336	00	07	73
	335	00	01	04
	375	00	10	43
	334	00	00	96
	332	00	09	31
	333	00	06	33
	331	00	09	27
	330	00	23	18
	321	00	00	92
	322	00	01	15
	323	00	04	84
	329	00	19	17
	390/1496	00	00	94
	328	00	00	43
	390/1495	00	02	72
4) Hatasahi	305	00	08	01
	307/966	00	00	20
	304	00	12	50
	303	00	06	38
	302	00	05	54
	310	00	03	13
	311	00	24	79
	313	00	01	08
	299	00	00	11
	299/976	00	01	00

1	2	3	4	5
4) Hatasahi (Contd)	299/975	00	00	83
	298/974	00	00	28
	312	00	03	12
	405	00	02	32
	406	00	08	20
	407	00	05	21
	424	00	00	17
	408	00	10	23
	423	00	11	45
	421	00	03	75
	416	00	01	18
	417	00	02	46
	418	00	00	31
	412	00	02	76
	505	00	08	79
	502	00	11	60
	501	00	08	87
	500	00	03	71
	494	00	05	88
	490	00	00	10
	495	00	04	31
	488	00	00	34
	487	00	13	00
	486	00	00	22
	481	00	03	22
	480	00	04	50
	482	00	16	89
	483	00	06	92
5) Kuaput	3087	00	17	69
	3088	00	03	22
	3089	00	01	41
	3092	00	01	13
	3093	00	03	22
	3094	00	04	36
	3095	00	00	57
	3099	00	07	03
	3098	00	00	10
	3100	00	07	90
	3102	00	08	67
	3103	00	01	61
	3104	00	03	68
	3105	00	02	50

1	2	3	4	5
5) Kuaput (Contd)	3116	00	11	64
	3117	00	01	49
	3118	00	04	09
	3119	00	00	10
	3160	00	09	46
	3161	00	05	68
	3172	00	00	95
	3286	00	11	34
	3162	00	00	78
	3163	00	00	82
	3287	00	00	27
	3165	00	06	79
	3164	00	01	63
	3166	00	02	49
	3171	00	14	83
	3180	00	01	20
	3231	00	09	18
	3230	00	00	51
	3232	00	08	64
	3229	00	00	21
	3226	00	01	72
	3233	00	05	83
	3234	00	01	90
	3225	00	00	70
	3235	00	04	24
	3236	00	09	41
	1724	00	09	74
	1723	00	01	74
	1721	00	04	93
	1725	00	02	86
	1726	00	00	14
	1720	00	05	56
	1767	00	01	92
	1795	00	00	10
	1796	00	14	00
	1803	00	14	73
	1804	00	11	51
	1805	00	11	28
	1806	00	07	66
	1688	00	04	94
	1888	00	02	88
	1886	00	08	21

1	2	3	4	5
5) Kuaput (Contd)	1687	00	00	10
	1683	00	02	77
	1684	00	06	92
	1682	00	16	28
	1327	00	00	70
	1328	00	00	10
	1322	00	04	28
	1326	00	03	51
	1323	00	00	67
	1334	00	00	66
	1325	00	04	51
	1324	00	05	13
	1319	00	00	51
	1318	00	05	35
	1317	00	00	10
	1237	00	01	74
	1238	00	13	08
	1263	00	00	14
	1240	00	01	30
	1239	00	04	27
	1241	00	04	70
	1242	00	03	86
	1227	00	06	77
	1243	00	07	37
	1226	00	04	55
	1154	00	07	83
	1244	00	00	31
	1155	00	00	22
	1153	00	10	21
	1156	00	01	31
	1152	00	08	77
	1151	00	09	41
	1083	00	01	98
	1108	00	03	52
	1109	00	00	10
	1088	00	01	14
	1089	00	00	73
	1090	00	00	36
	1107	00	01	90
	1106	00	03	13
	1110	00	00	85
	1105	00	03	53
	1091	00	01	95
	1104	00	10	04
	1103	00	02	05
	1098	00	07	35
	1102	00	06	00
	1101	00	02	83
	1100	00	02	27
	1099	00	00	58

[F. No. L-14014/69/2010-GP]
SNEH P. MADAN, Under Secy.

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 9 दिसम्बर, 2010

का.आ. 97.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जयपुर के पंचाट (संदर्भ संख्या 83/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-12-2010 को प्राप्त हुआ था।

[सं. एल-12012/156/1996-आईआर(बी-1)]

रमेश सिंह, डेस्क अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 9th December, 2010

S.O. 97.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.83/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Jaipur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, received by the Central Government on 7-12-2010.

[No. L-12012/156/1996-IR (B-1)]

RAMESH SINGH, Desk Officer

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JAIPUR****PRESENT : N. K. PUROHIT, Presiding Officer****I.D.83/05**

Reference No. L-12012/156/1996-IR(B-I) dated: 6-7-2005

Shri Hari Om Rathore
S/o Shri Kalyan Lal
C/o Joint Secretary,
Hind Mazdoor Sabha,
Bengali Colony, Chhawani,
Kota (Raj.)

V/s

The Manager,
State Bank of India
LIC Building,
Chhawani Chouraha
Kota (Raj.)

AWARD

26-11-2010

1. The Central Government in exercise of the powers conferred under clause (d) of sub-sections 1 & 2(A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following Industrial dispute to this tribunal for adjudication which runs as under :—

"Whether the action of the management of State Bank of India in terminating the services of Shri Hari Om Rathore S/o Shri Kalyan Lal w.e.f. 1-3-94 is justified? If not, what relief he is entitled to?"

2. Pursuant to the receipt of reference order, the registered notices were issued to both the parties. From the record, it appear that Shri Arun Sharma, Advocate appeared on behalf of the workman and Shri Yashpal Garg, Advocate appeared on behalf of the management on 7-9-05. Claim statement was filed on 16-9-05 and its reply was filed on 9-1-06. The rejoinder was filed on 17-3-06. It also appears that an application for summoning documents was filed on behalf of the workman on 24-2-06 and at the stage of filing reply of the said application, legal representative on behalf of the workman Shri Arun Sharma, Advocate withdrew his authority letter.

3. In above factual background fresh registered notice was issued to the workman. Upon perusal of the record, it appears that acknowledgement receipt of the registered notice is on the record which shows that notice has been served upon the workman concerned. Despite service of registered notice, the workman did not appear. Therefore, ex-party proceedings were drawn against him on 24-11-10.

4. Heard the learned representative on behalf of the management & perused the record.

5. The learned representative on behalf of the management contends that since the workman has not adduced any evidence and in absence of any evidence in support of the claim, the claim of the workman deserves to be rejected.

6. In reference, the question under consideration is whether the action of the management in terminating the services of the workman is justified?

7. The initial burden was on the workman to substantiate his case in the claim by adducing evidence. It is well settled that if a party challenges the legality of an action the burden lies upon him to prove illegality of the action and if no evidence is produced, the party invoking jurisdiction of the court must fail. It was incumbent for the workman to have appeared and substantiate his allegation that the action of the management was not justified but the workman has not adduced any evidence in support of his claim. It appears that the workman is not willing to contest the case further.

8. Under these circumstances, "No Claim Award" is passed in this matter. The reference under adjudication is answered accordingly.

9. Award as above.

N. K. PUROHIT, Presiding Officer

नई दिल्ली, 9 दिसम्बर, 2010

का.आ. 98.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबंध में निर्योक्तों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, मुम्बई के पंचाट (संदर्भ संख्या 2/2010) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-12-2010 को प्राप्त हुआ था।

[सं. एल-12011/78/2008-आईआर(बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 9th December, 2010

S.O. 98.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.2/2010) of the Central Government Industrial Tribunal-cum-Labour Court, Mumbai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, received by the Central Government on 9-12-2010.

[No. L-12011/78/2008-IR (B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, MUMBAI

JUSTICE G. S. SARRAF, Presiding Officer

Reference No. CGIT-1/02 OF 2010

Parties: Employers in relation to the management of State Bank of India.

AND

Their Workmen

APPEARANCES:

For the Management : Shri.Nadkarni, Advocate

For the Union : Absent.

State : Maharashtra

Mumbai, dated the 18th day of November, 2010

AWARD

This is a reference made by the Central Government in exercise of its powers under clause (d) of sub-section 1

of Section 10 of the Industrial Disputes Act, 1947 vide Government of India, Ministry of Labour, New Delhi Order No. L-12011/78/2008-IR(B-I) dt.30-6-2009 — The terms of reference given in the schedule are as follows:

"Whether the action of the management of State Bank of India in imposing the punishment of bringing down to lower stage in the scale of pay by two stages vide order dated 20-2-2008 on Shri Babarao Kondiba Bendrikar, Sr. Hd. Messenger, APMC Nanded Branch, is just, proper and in proportion to the alleged charges. If not, to what relief the workman is entitled to and from which date?

2. Mr.Nadkarni. learned advocate for the Management is present. Nobody is present on behalf of the Union.

3. A letter dated 18th October, 2010 has been received in the office of this Court on 21-10-2010 from General Secretary, State Bank of India, Staff Union (Mumbai circle) wherein it has been stated that the employee Shri B.K.Bendrikar has already retired from his services and, therefore, the case be treated as withdrawn.

4. Since the Union is no more interested in prosecuting the case as the workman has retired from his services, therefore, this Tribunal allows the Union to withdraw the case.

5. The matter thus stands disposed of as withdrawn.

6. An Award is made accordingly.

JUSTICE G. S. SARRAF, Presiding Officer

नई दिल्ली, 10 दिसम्बर, 2010

का.आ. 99.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार साउथ इंडिया कॉर्पोरेशन (ए) लि. के प्रबंधन के संबंध में निर्योक्तों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-1, पणजी-गोवा के पंचाट (संदर्भ संख्या आई. टी. 4/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-12-2010 को प्राप्त हुआ था।

[सं. एल-36011/10/2004-आईआर(बी-II)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 10th December, 2010

S.O. 99.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. IT/04/2005) of the Central Government Industrial Tribunal-cum-Labour Court-I, Panji-Goa now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. South India Corporation (Agencies) Ltd. and their workman, which was received by the Central Government on 9-12-2010.

[No. L-36011/10/2004-IR (B-II)]

RAMESH SINGH, Desk Officer

ANNEXURE

IN THE INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT-I AT PANAJI

BEFORE B. P. DESHPANDE, PRESIDING OFFICER

REF. NO. IT/4/05

Smt. Thereza Fernandes,
Rep. by Gen. Secretary,
Transport and Dock Workers Union,
Pt. D-Kosambe Building,
C/8, II Floor,
Swatantra Path,
Vasco da Gama.

...Workmen/Party I

V/s

M/s. South India Corporation (Agencies) Ltd.,
Joshi Building,
Vasco da Gama.

...Employer/Party II

Party I/Workmen are represented by Adv. Miss Sonia
Redkar.

Party II Employer is represented by Adv. A. Kundaikar.

AWARD

(Passed on this 13th day of October, 2010)

In exercise of the powers conferred under
Section 10(1)(d) and Section 2A of the Industrial Dispute
Act, the Government of Goa referred the dispute vide
No.-L-36011/10/2004-IR(B-II) dated 11/1/2005 for
adjudication of this Tribunal.

“Whether the action of the management of
M/s. South India Corporation (Agencies) Ltd.,
Goa in terminating the employment of Mrs.
Thereza Fernandes, typist/Telex Operator w.e.f.
30/6/2004 is legal and justified? If not to what
relief the workman is entitled for?”

2. On receipt of the said reference, it was registered
as Industrial Dispute No. IT/4/05 and notices were issued
to both parties. Party I/ workmen filed statement of claim
vide Exb. 4 thereafter Party II filed written statement at Exb.
10. The rejoinder is filed at Exb. 12.

3. In nut shell it is the contention of the Party I that
she was employed with Party II since 1984 as a typist and
was confirmed in the year 1985. Suddenly, on 9-6-2004
notice was served on the Party I stating that her services
shall stand terminated with effect from 30-6-04 since her
services are found to be surplus. The Party I further claimed
that junior employees to her were retained by the company
and there is non compliance of “last come first go”. The
Party I was doing work diligently and she continuously
worked for twenty years and suddenly employer
terminated her services without any proper reason. The
Party I then claimed that she is a widow and having minor
son and she even took loan for the house and she was

repaying it through her salary received from Party II. Due
to sudden termination from the service, she has lost her
only earning source. Therefore, she claimed reinstatement
with full back wages.

4. The Party II filed written statement at Exb.10
claiming that there is suppression of material facts by
Party I and on that count itself she is not entitled for any
relief. It is claimed by Party II that the services of Party I
were terminated by following due process of law as she
was found surplus in the category of typist and she has
been paid entire compensation, one months notice pay,
leave encashment as well as gratuity amount which she
has received without any protest. It is further claimed by
Party II that in the year 2004 there was sudden decline in
the business activities of Party II due to depression and
Party II was not incurring good restraints from the business
activities and accordingly there was no much work to be
given to Party I and hence her services became surplus
and the same were retrenched by giving compensation
Rs. 1,21,400 with gratuity Rs.45,692 and Provident Fund of
Rs. 2,39,073. Notice pay was also given to the Party I which
she accepted without any protest. In the rejoinder at Exb. 12.
the Party I admitted receipt of compensation of their
amount as stated by Party II in their written statement but
claiming that her retrenchment is illegal and she is entitled
for reinstatement with back wages.

5. Issues were framed by my learned predecessor
vide Exb. 14 which reads as under together with my findings
against it.

1. Whether the Party I proves
that action of the Party II
in terminating her services is
illegal and unjust? Not Proved.
2. Whether the Party II proves that
the services of the Party I were lawfully
retrenched due to compelling
operational exigencies of the company? Partly Proved.
3. What relief?
4. What Award ?

6. The Party I stepped into the witness box and filed
affidavit in support of her evidence at Exb. 15. One witness
was examined in support of the case of Party I. The affidavit
of the witness of Party II was filed on record but no one
remained present and therefore evidence of Party II was
closed. Notice was also issued to Party II but no one
appeared. Written submissions have been filed by Party I
vide Exb.28. I have perused the entire record as well as
evidence brought on record on that basis I propose to
discuss the issue on merits.

7. Issue no.1 & 2: Both these issues are taken for
joint discussion since the same are interconnected. The

main contention of Party I is that she was removed from the service without following the general principles of "last come first go" and that she was not paid her dues. The written statement filed by Party II clearly show in para 10 that the compensation and other dues were duly paid to party I and she did not raise any protest. It is also rightly pointed out by Party II in their written statement that there is suspension of material facts by Party I with regard to the notice pay, compensation, gratuity and other dues. This fact is further clarified in the rejoinder filed by Party I wherein she admitted the conditions of para no.9 and 10 of the written statement. Thus, it is proved that Party I has suppressed material facts in her statement of claim with regard to the receipt of compensation, one month notice pay, and other dues from the employer. Thus, by suppressing such material facts, Party I tried to misguide the authorities including this Tribunal and hence she is not entitled for any relief.

8. Even otherwise the evidence of Party I specified in the cross examination clearly prove that she received a notice of termination of her services and thereafter the compensation along with the gratuity and other dues were paid which she accepted without any protest. The entire evidence brought on record of Party I regarding contravention of the principles of "last come first go" is not supported by any material. The details of the workers/employees appointed after appointment of Party I in her category as typist, have not been given by her or by the witness examined in support of her case. The burden is certainly on Party I to show that the junior to her is still working with the company. There are only bare words without any details and specifically the categories in which other employees were working, would not justify the contention of Party I in proving the said aspects. I have already mentioned that the Party I has received the compensation along with the gratuity which is proved by Exb.22 and 23 respectively and thus Party II has discharged the burden that the retrenchment of Party I was after due compliance of the payment of compensation. It is equally true that Party II failed to prove the compelling circumstances for retrenching the services as claimed in their written statement since no evidence was led on behalf of Party II. However, one thing is clear that the retrenchment of Party II is only after payment of due compensation as disclosed in para 10 of the written statement. No other employee who is working with Party II and junior to Party I, was examined to prove the contention raised in the claim statement.

9. The witness examined by Party I has raised certain aspects in his affidavit which are not disclosed by Party I and therefore such aspects cannot be taken into account for deciding the present reference. The said witness also failed to disclose names and other details of the employees who were retained by Party II and were junior to Party I. No reliance can be placed on such witness who was

working as Jr. Manager in the said company. Thus, it is clear that Party I failed to prove the issue no. 1 whereas the Party II has partially proved issue no.2 and therefore the same are answered accordingly.

10. Since the Party I has suppressed material facts and she failed to discharge the burden regarding issue no.1, she is not entitled for any relief. Hence issue no.3 is not answered as not proved. After considering the above discussion, I pass the following order.

ORDER

The action of the management is legal and justified. The workman is not entitled for any relief.

No orders as to cost. Inform the Government accordingly.

Panaji

Dated: 13-10-2010

B.P. DESHPANDE, Presiding Officer

नई दिल्ली, 10 दिसम्बर, 2010

का.आ. 100.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार विशाखापटनम पोर्ट ट्रस्ट के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 23 /2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-12-2010 को प्राप्त हुआ था।

[सं. एल-34011/21/2004-आईआर(बी-II)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 10th December, 2010

S.O. 100.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.23/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Visakhapatnam Port Trust and their workman, which was received by the Central Government on 9-12-2010.

[No. L-34011/21/2004-IR (B-II)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

PRESENT: Shri VED PRAKASH GAUR,
Presiding Officer

Dated the 6th day of September, 2010

Industrial Dispute No. 23/2005

BETWEEN:

The General Secretary,
Port and Dock Employees Association,
Rama Padma Nilayam, 145-25-32-A
Dandu Bazar, Maharanipeta,
Visakhapatnam - 530002. . . .Petitioner

AND

The Chairman,
Visakhapatnam Port Trust,
Port Area, Visakhapatnam-530 005. . . .Respondent

APPEARANCES:

For the Petitioner: M/s. G. Vidya Sagar,
K. Udaya Sri, P. Sudheer Rao
& B. Shiva Kumar, Advocates

For the Respondent: M/s. D.V. Subba Rao &
D.V.S.S. Somayajulu,
Advocates

AWARD

This case has been registered on the basis of reference received from Government of India, Ministry of Labour by its order No. L-34011/21/2004-IR(B.II) dated 9-11-2004 under Section 10(1)(d) of the I.D. Act, 1947 to adjudicate the dispute between workman Sri N. Suryanarayana Rao and the management of Visakhapatnam Port Trust. The terms of reference is as under:

SCHEDULE

"Whether the action of the management of M/s. Visakhapatnam Port Trust in terminating the services of Shri N. Suryanarayana Rao, Ex-Operator Gr. I(Sr.) by way of compulsory retirement as a punishment w.e.f. 23-9-2002 is legal and justified? If not, what relief the concerned union is entitled to?"

The reference is numbered in this Tribunal as I.D. No. 23/2005 and notices were issued to the parties.

2. From the side of the workman the General Secretary of Port and Dock Employees Association, Visakhapatnam has filed claim statement wherein he has alleged that Sri N. Suryanarayana Rao Operator Grade-I(Sr) joined in Visakhapatnam Port Trust organization as Operator Grade-III about 34 years back and he was promoted to the post of Operator Grade-I. He rendered unblemished service. His work was commended by every one in the organization. He earned appreciation by then Chief Mechanical Engineer at Paradeep Port Trust. He was shouldering heavy responsibilities in keeping the plant and machinery in operation and awarded major breakdowns in the plant.

3. Sri N. Suryanarayana Rao was unanimously elected as General Secretary of Trade Union for Port and

Dock Employees Association on 9-3-2001. Ever since he was elected as General Secretary he was representing the grievances of the workers in the plant and resolved the problems. Thus, he became instrumental for maintaining harmonious relations between workers and management, even as a trade union leader. Sri N. Suryanarayana Rao as General Secretary of the trade union with the solidarity and help of all other unions got the proposal of the management to induct "Engineering Trainees" in the plant depriving the legitimate promotions/elevations of incumbents because the employees in the plant were frustrated due to lack of promotions and long stagnation in the same cadre. Sri Suryanarayana Rao also resisted the illegal activities of the management as General Secretary of Trade Union such as off-load of plant work to private contractors instead of getting them done by port workers, unilaterally without consulting the trade unions, the Respondent management resorted to illegal activities. The action of Sri Suryanarayana Rao become unpalatable to the management and the management vehemently determined to send him out from the organization on one pretext or other. As a part of that sinister design, the management issued a charge sheet dated 12-2-2002 for major penalty under regulation 10 of VPE(CC&A) Regulations, 1968 levelled the following charges:

"That the said Sri N. Suryanarayana Rao, while functioning as Operator grade-I, SR in Ore Handling Complex has reported at the Ore Handling Complex premises on 5-1-2002.

In connection with the revision of incentive scheme the Marine staff of the Port Trust went on strike with effect from 23-12-2001 onwards.

Sri N. Suryanarayana Rao, in connection with the aforesaid strike has assembled the other Ore Handling Complex employees in the first shift on 5-1-2002 and stopped the loading and of the tipping operations from 06.00 hrs. to 07.30 hrs. The Senior Time Keeper and the Time Keeper of O.H.C. vide letter dated 5-1-2002 have also reported that the OHC employees including the operators did not sign in the muster upto 07.00 hrs on 5-1-2002.

The Plant Manager/OHC has also confirmed vide letter dated 5-1-2002 that the tipping operations were stopped under the leadership of Sri N. Suryanarayana Rao.

Subsequently, Sri N. Suryanarayana Rao has released a pamphlet stating that the OHC employees have participated in the agitation for two hours.

From the above it is clearly evident that Sri N. Suryanarayana Rao has unauthorizedly resorted to stop the loading and the tipping operations even though the issue in question is in no way connected to the OHC employees. By the above act, he exhibited gross misconduct, sheet negligence and unbecoming of a public servant and in as much as he failed to maintain absolute integrity and devotion to duty.

Thus he violated Regulation 3(1) of V.P.E's(Conduct) Regulations, 1964."

4. Sri N. Suryanarayana Rao has submitted his detailed explanation dated 6-3-2002 bringing it to the notice of the Disciplinary Authority that on 5-1-2002 two trains were operated in tipping section in first shift, the third tippler train placed at 05.40 hrs. and the operations started at 9.30 hrs and completed at 10.30 hrs for the second part and the train was dispatched one hour earlier to the schedule time. At the twin wagon tippler train placement was given at 7.30 hrs and the work was completed by 9.30 hrs. Similarly loading operations were done from 6.00 hrs to 8.00 hrs to the tune of 3000 MT of pellets to the vessel "M.V. MAHAVIR" with only one bucket wheel reclaimer. This matter was published by the management in the newspapers on 6.1.2002, that a record loading of 72000 MT was done by OHC on 5-1-2002 [from 4-1-2002, 14.00 hrs to 5-1-2002, 14.00 hrs] which itself evident that there was no stoppage of work on that particular shift and day.

5. It was further submitted that not satisfied with the explanation domestic enquiry was ordered by the appointing authority. Enquiry Officer was appointed who conducted domestic enquiry and a Junior Officer was appointed as Enquiry Officer before whom a senior officer was produced as management witness. The Enquiry Officer submitted his report which was prejudicial because the Enquiry Officer was junior to the management witness, Enquiry Officer was biased and prejudiced against the workman. He concluded the enquiry and submitted that the charges against the Petitioner workman was proved. The Disciplinary Authority without applying his mind and without considering the violation of principles of natural justice, passed the order of compulsory retirement which is illegal, arbitrary and discriminative in nature and deserves to be quashed.

6. Respondent filed their counter. They have denied the submission made in the claim statement. They have further denied the statement made in the claim statement. They have further stated that the employee of the plant did not sign the muster upto seven hours on 5-1-2002 though the first shift commenced at 6 AM and the Plant Manager reported that the Port and Dock Employees Association have stopped loading, tipping operations in view of the strike by Marine Employees and Port and Dock Employees Association under the leadership of Sri N. Suryanarayana Rao. The Respondent has stated that another representation was made on 17-1-2002 by the Plant Manager that the Petitioner workman has released a pamphlet in the capacity of the Union General Secretary confirming that the employees participated in the agitation for two hours on 5-1-2002 in connection with the stopping of loading of the tipping operations. Thus, he was issued with the charge sheet dated 12-2-2002 for his gross

misconduct, i.e., for instigating the employees to go on strike. The explanation given by the Petitioner was not found to be satisfactory. Enquiry was ordered. Petitioner workman participated in the enquiry. Management witnesses were examined in presence of the Petitioner. They were cross examined by the Petitioner and Petitioner has examined himself in his defence. Since the Petitioner has committed the act of gross misconduct of resorting to the unnecessary and unnoticed strike, the said misconduct was proved by the management witnesses and the Disciplinary Authority has passed a lenient punishment order, retiring the workman compulsorily. He was neither dismissed nor terminated from service. Thus, the contention of the Petitioner that he has been punished disproportionately to the misconduct or that misconduct is neither correct nor based on evidence is baseless. The claim is misconceived based on incorrect facts and hence, deserves to be dismissed.

7. Parties were directed to produce their evidence. Management side has produced as many as 17 documents in the form of departmental proceeding book and the evidence etc. produced before the Enquiry Officer. No separate evidence has been produced by the workman. Petitioner workman has challenged the legality and validity of the domestic enquiry conducted by the management. Hence, the question of legality and validity of domestic enquiry was considered by my Learned Predecessor by his order dated 1-3-2007 which is available on this record holding that the domestic enquiry conducted by the management was legal and justified and valid in nature, this order of my Learned Predecessor shall form part of this award.

8. I have heard Learned Counsel for the Petitioner workman because Respondent has not appeared on the date of argument. Learned Counsel for the Petitioner workman has filed written arguments wherein he has asserted that the charges were framed on the basis of misreading of the pamphlet issued by Petitioner union. The pamphlet does not disclose any averment that first shift employees have participated in the OHC agitation. The pamphlet reflects the solidarity expressed by members of the Petitioner union which can not be said to be strike by workman who were on duty. I have considered this argument of Learned Counsel for the Petitioner workman.

9. This tribunal has to consider the following points:

(I) Whether the Petitioner workman called upon the workmen or employees of the first shift of ore handling complex to stop work for two hours on 5-1-2002 and whether the workers has struck down the work for two hours?

(II) Whether the action of the management of Visakhapatnam Port Trust in retiring the services of Sri N. Suryanarayana Rao by way of compulsory retirement w.e.f. 23-9-2002 is legal and justified or not?

(III) Whether the workman is entitled for any relief? If so, to what relief?

10. Point Nos. (I & (11)): The question whether the Petitioner workman has resorted to strike or has called upon the strike on 5-1-2002 for the first shift of Ore Handling Plant between 6-8 AM was done by the Petitioner workman or not. It is a question of fact on which Respondent management has produced Sri N. Rama Rao, Time Keeper as management witness No. 1, Sri G.D.P.R.G. Reddy, Sr. Time Keeper, OHC who was time keeper of Shift No. 1 from 6hrs to 14 hrs on 5-1-2002 as management witness No. 2, Sri P.V. Muralai Mohan Rao, Plant Manager, Incharge of OHC first shift between 6 hrs to 14 hrs on 5-1-2002 as management witness No. 4. The workman has also produced four defence witnesses. However, the witnesses of the management has stated that Sri N. Suranarayana Rao, the General Secretary and the employees of OHC including operators have not signed in the muster books upto 7 hrs on 5-1-2002 from the time of commencing of the first shift. All the three management witnesses have stated that the employees have not signed the muster between 6-8 AM. Moreover, there is printed pamphlet which is marked as PE3 issued by Sri N. Suranarayana Rao, General Secretary wherein it is written that the OHC employees has struck the work on 5-1-2002 for two hours to show the solidarity with other striking employees of Port Trust. This pamphlet was issued in the name of Sri N. Suranarayana Rao who has not denied that he has issued this pamphlet, basing his finding on the material placed before the Enquiry Officer, the Enquiry Officer concluded that Sri N. Suranarayana Rao being a general secretary of the union has resorted to the strike for two hours in the first shift on 5-1-2002. This action of Sri N. Suranarayana Rao goes to show that he committed misconduct within the meaning of the standing order of the company. This material fact has already been discussed by my Learned Predecessor who has given cogent finding that the Enquiry Officer has discussed the evidence and the finding arrived at by Enquiry Officer was based on material on record and he has given reason for his conclusion. Thus, this question can not be reiterated again under Sec. 11A of Industrial Disputes Act, 1947. The pamphlet was misread by the by the Enquiry Officer or that does not prove the misconduct of the Petitioner workman can not be reassessed. Learned Counsel for the Petitioner has argued that management has issued a statement that on 5-1-2002 more loading was done by the employees will not absolve the Petitioner from the misconduct he committed by calling the employees to go on strike and striking the work for two hours in the first shift. From the evidence on record it is proved that Petitioner being general secretary of the union called their employees of the first shift to strike the work for two hours, his misconduct was proved. Even if the loading in excess was done by the other employees of the management on that date will not absolve the misconduct

of the Petitioner and gravity of the misconduct committed by the Petitioner. The Petitioner has committed gross misconduct by striking work and asking other employees also to strike the work in the morning shift or the first shift of the working. The management has not committed any illegality in ordering compulsory retirement of the Petitioner by way of punishment because the action of the Petitioner was of grave nature of misconduct. Hence, the punishment imposed by the management is neither illegal nor unjustified. The Petitioner has acted in violation of Visakhapatnam Port Employees Conduct and Regulations, 1964. He himself participated in the agitation for two hours. He unauthorizedly reported to stop the loading and tipping operations which was a gross misconduct and it show that his conduct is not being of a public servant. He failed to maintain absolute integrity and devotion to the duty as such, the order of compulsory retirement is justified in the present case. Question Nos. (I) & (11) are decided accordingly.

11. Point No. (III):—The management has not committed any illegality or arbitrariness in imposing the punishment of compulsory retirement of the Petitioner workman. The Petitioner workman is not entitled for any relief. Claim petition deserves to be dismissed. Question No. (III) is decided accordingly.

12. From the above discussion, this tribunal has come to the conclusion that the action of the management of M/s. Visakhapatnam Port Trust in terminating the services of Sri. N. Suranarayana Rao, Ex-Operator, grade-I (Sr.) by way of compulsory retirement as a punishment with effect from 23-9-2002 is legal and justified and Petitioner is not entitled for any relief. Hence, this award.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowari, Personal Assistant Transcribed by her corrected by me on this the 6th day of September, 2010.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the
Petitioner

NIL

Witnesses examined
for the Respondent

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 10 दिसम्बर, 2010

का.आ. 101.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यूको बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच,

अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कोलकाता के पंचाट (संदर्भ संख्या 12/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-12-2010 को प्राप्त हुआ था।

[सं. एल-12011/112/2006-आईआर(बी-II)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 10th December, 2010

S.O. 101.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 12/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Kolkata now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of UCO Bank and their workman, which was received by the Central Government on 9-12-2010.

[No. L-12011/112/2006-IR (B-II)]

RAMESH SINGH, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT KOLKATA

Reference No. 12 of 2007

Parties: Employers in relation to the management of UCO Bank

AND

Their workmen

Present: Mr. Justice Manik Mohan Sarkar
Presiding Officer

Appearance:

On behalf of the Management : None

On behalf of the Workmen : None.

State: West Bengal. Industry : Banking

Dated: 30th November, 2010.

AWARD

By Order No. L-12011/112/2006-IR(B-II) dated 1-5-2007 the Government of India, Ministry of labour in exercise of its powers under Section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication:

“Whether the action of the management of UCO Bank by not regularizing Shri Prfull Halder, Part-time sweeper who claimed to have been working for more than 12 years continuously in UCO Bank is justified? If not, what relief the concerned workman is entitled to?”

2. On call today, none appears for either of the parties. On scrutiny of the order sheet of this reference, it is revealed that the matter is pending for filing rejoinder by the workmen

union since 16-6-2008. But, neither the rejoinder has been filed nor any one was present on behalf of the workmen on all the dates from 16-06-2008 till today. The workmen union did not appear on 10 occasions among the 11 dates fixed for the same, excepting on one occasion on 12-02-2009. Inspection of the records shows that fresh notice was issued to both the parties on 28-06-2010 after notification of my appointment and the notice is found to have been served in view of the acknowledgment cards received back from both the sides with due endorsement of receipt by the respective parties. In case of the workmen union the notice was served on 9-7-2010 while the notice of the management was found to have been served on 10-7-2010.

3. The conduct of the workmen union shows that it is reluctant from appearing in the present reference, though the reference has been initiated on the claim by the workmen union.

4. So, it is presumed that no ‘industrial dispute’ is prevailing at present in the present reference and I find no reason to proceed with the same any more. The present reference is thus disposed of treating non-existence of any ‘industrial dispute’.

An Award is passed accordingly.

Dated, Kolkata,

30th November, 2010.

JUSTICE MANIK MOHAN SARKAR, Presiding Officer

नई दिल्ली, 10 दिसम्बर, 2010

का.आ. 102.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एल. आई.सी. ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नागपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एनजीपी/157/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-12-2010 को प्राप्त हुआ था।

[सं. एल-17012/02/1994-आईआर(बी-II)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 10th December, 2010

S.O. 102.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/NGP/157/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of L.I.C. of India and their workman, which was received by the Central Government on 9-12-2010.

[No. L-17012/02/1994-IR (B-II)]

RAMESH SINGH, Desk Officer

ANNEXURE**BEFORE SHRI J. P. CHAND, PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT, NAGPUR**

Case No. CGIT/NGP/157/2002 Date: 02-12-2010.

Petitioner / Party No.1 The General Secretary,
Amravati Divil. L.I.C.
Employees Union, C/o
Accounts Deptt., Divisional
Office, Jayant Complex,
V.M.V. Road, Amravati.

Versus

Respondent/Party No.2 The Sr. Divisional Manager,
L.I.C. of India, Divisional
Office, Jayant Complex,
V.M.V. Road, Amravati.

AWARD

(Dated: 2nd December, 2010)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2 (A) of section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government had referred the industrial dispute between the employers, in relation to the management of L.I.C. of India and their workman, Shri R.R. Bawankar ("the workman" in short) for adjudication to the CGIT, Jabalpur vide letter No. L-17012/02/94-IR (B-II) dated 16-8-1994, with the following schedule :—

"Whether the action of the management of LIC of India, Amravati in not promoting Shri R.R. Bawankar, Asstt., as cashier is justified? If not, what relief is the said workman entitled to?"

Subsequently, the case was transferred to this Tribunal for disposal according to the law.

2. The petitioner filed his statement of claim through his union, "the Amravati Divisional L.I.C. Employees Union" before the CGIT, Jabalpur claiming that the Senior Divisional Manager, L.I.C. of India, Amravati illegally denied the cashier-ship to him and appointed one Shri Nitin Arun Vaidya, against the instruction issued by the Central Office from time to time. The petitioner prayed for an order to the effect that he be deemed to have been appointed cashier from the date the post was filled up and all consequential benefits of cashier's allowance.

3. The management filed the written statement, denying the allegations and claiming that the petitioner was not entitled for appointment to the post of cashier and he was not eligible for selection to the said post.

4. After receipt of the reference on transfer on 9-12-2002, the case was fixed for argument on merit. However, both the parties did not appear before this Tribunal till 23-9-2010. On 23-9-2010, as the parties did not appear before this Tribunal, the case was posted to 30-11-2010 for argument and in the interest of justice, simultaneously, order was passed to intimate the parties

about the date of the case by issuing notice by registered post with AD. Accordingly on 27-9-2010, notices were sent to both the parties by registered post with AD intimating them that the case has been fixed for argument on 30-11-2010. In spite of issuance of such notices, as the parties did not appear on 30-11-2010, the case was closed and posted for orders.

5. On perusal of the record, even though it is found that the parties have filed the statement of claim and written statement, they did not adduce evidence in support of their respective claims. It appears from the record that they did not want to proceed with the case and therefore, defaulted in attending the Tribunal. In view of the above facts and materials on record, there is no other go than to pass the order of no award in this case. Hence, it is ordered.

ORDER

The reference may be treated as "no dispute award" due to the default of the parties.

J. P. CHAND, Presiding Officer

नई दिल्ली, 10 दिसम्बर, 2010

का.आ. 103.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ इंडिया के प्रबंधन के संबंध में निर्यातकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एनजीपी/26/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-12-2010 को प्राप्त हुआ था।

[सं. एल-12012/224/1992-आईआर(बी-II)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 10th December, 2010

S.O. 103.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/NGP/26/1999) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of India and their workman, which was received by the Central Government on 9-12-2010.

[No. L-12012/224/1992-IR (B-II)]

RAMESH SINGH, Desk Officer

ANNEXURE**BEFORE SHRI J. P. CHAND, PRESIDING OFFICER
CGIT-CUM-LABOUR COURT, NAGPUR**

Case No. CGIT/NGP/26/1999 Date: 11-11-2010.

Petitioner / Party No.1 The Regional Secretary,
Bank of India Bankers
Organisation, Shriram Ward,
Ram Mandir, Chandrapur

Versus

Respondent/ Party No.2 The Regional Manager,
Bank of India, Regional Office,
13, Mul Road,
Chandrapur

AWARD

(Dated: 11th November, 2010)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of section 10 of Industrial Disputes Act, 1947 (14 of 1947), the Central Government has referred the industrial dispute between the employer in relation to the management of the Bank of India and their worker, Shri Prakash Meshram ("workman" in short) for adjudication to the Central Government Industrial Tribunal, Jabalpur, as per letter No.L-12012/224/92-IR(B-II) dated 28.10.1992, with the following schedule:-

"Whether the action of the management of Bank of India, Chandrapur is justified in dismissing the service of Sh. Prakash Meshram w.e.f. 20.5.1990? If not, to what relief is the workman entitled to?"

It is necessary to mention here that after establishment of CGIT at Nagpur, the case was transferred from CGIT, Jabalpur to CGIT, Nagpur for disposal according to law. It is also necessary to mention here that during the pendency of the reference, the workman, Shri Prakash Meshram expired and in his place, his legal heirs, namely, Smt. Shobha, Shri Deepak and Ku.Sundari Prakash Meshram, widow, son and daughter of the deceased Prakash Meshram respectively were substituted.

2. On receipt of the reference, the parties were noticed to file the statement of claim and written statement and accordingly, the workman filed his statement of claim, through his union, "Bank of India Workers Organisation" and the management of Bank of India filed their written statement.

It was pleaded by the workman in his statement of claim that he was appointed in the Bank of India as a part time permanent sub-staff on 1/3rd pay of scale on 1.1.86 and was posted in Sasti Extension Counter of Rajura branch in Chandrapur district and he was a confirmed and permanent employee and the service conditions of the Bank employees are governed by the provisions of Shastri Award and Bipartite Settlement and while he was working as such, he was suspended from service w.e.f. 31.10.88 in contemplation of initiation of a departmental enquiry against him and charge sheet containing two charges was issued against him after a period of about one year on 20.9.89 and enquiry was conducted against him and the enquiry report was submitted on 6.3.90 and the Disciplinary Authority concurred with the findings of the Inquiry Officer and issued show-cause notice for the punishment of dismissal and he submitted his reply to such show-cause, but the Disciplinary Authority confirmed the punishment

and passed the order of dismissal and he preferred an appeal against the order of his dismissal from service before the Appellate Authority, but his appeal was also rejected. It was further pleaded that the enquiry conducted against him was not proper and principles of natural justice were not followed by the Inquiry Officer during the course of enquiry and the Inquiry Officer conducted the enquiry with undue haste and without giving reasonable time to his defence representative to study the case and on the date of enquiry i.e. 19-12-89, the defence representative, Shri Vinayak Joshi was not relieved by his Branch Manager, on the ground that he was not instructed to relieve Shri Joshi and as such, the defence representative was not able to attend the enquiry proceedings in the initial stage and the defence representative requested the Inquiry Officer to give sufficient time to him to conduct the enquiry meaningfully, but his request was turned down by the Inquiry Officer and the evidence of nine witnesses examined on behalf of the management was recorded in absence of the defence representative and that too in English and the proceedings were sent to the defence representative by post and after receipt of such proceedings, the defence representative requested in writing on 10-1-90 to the Inquiry Officer to allow him atleast to cross-examine the nine witnesses already examined on behalf of the management exparte, but the Inquiry Officer refused permission to cross-examine the witnesses and posted the case for defence evidence and as such, the principles of natural justice were violated and the enquiry was unfair and was not proper.

It is also pleaded by the workman that the charges framed in the charge sheet against him do not come within the ambit of Para 19.5(j) of the Bipartite Settlement and his involvement is obviously after thought and he had no concern whatsoever to indulge in the activity and it was not proved by evidence about his direct involvement in the alleged misappropriation of the amount of Rs. 1500 and the Inquiry Officer failed to appreciate the evidence on record and the imposition of punishment of dismissal from service is also erred in law and the findings of the Inquiry Officer are perverse and there was violation of principles of natural justice and as such, the entire enquiry was vitiated. The workman had prayed for setting aside the punishment of dismissal from service and for his reinstatement in service with back wages and all consequential benefits.

4. In their written statement, the management have pleaded that the enquiry was conducted against the workman properly and following the principles of natural justice and the defence representative was given reasonable time to study the case and the defence representative was denied permission only on 19-12-89 to attend the enquiry by his Branch Manager, since the Branch Manager was not aware regarding the said enquiry and no important proceedings or step was taken on that

date and the proceedings were adjourned on the very ground and the next date of the enquiry was fixed after about nine days i.e. 28-12-89 and the copies of the documents supplied to the defence representative were all within the knowledge of the workman and the defence representative made a belated request on 10-1-1990 for cross-examination of the witnesses of the management, who had already been discharged and as such, the request was not acceded to, for the reason that no proper ground was given as to why the cross-examination was not done on the date, when the evidence of the witnesses was recorded in the enquiry and the enquiry was not conducted in a haste and the misconduct committed by the workman comes within the ambit of Clause 19.5(j) of the Bipartite Settlement and the Disciplinary Authority and the Appellate Authority, after taking into consideration the materials on record and findings the charges to have been proved, passed the order and the departmental proceeding was legal and proper and the same was conducted by following the principles of natural justice.

5. As this is a case of dismissal from service, the validity of the departmental enquiry was taken as a preliminary issue for consideration and as per order dated 9.4.96, it was held that the departmental enquiry was not legal and proper on account of breach of principles of natural justice. However, permission was granted to the management to prove the misconduct of the workman by leading evidence before the Tribunal.

6. The management examined as many as five witnesses before this Tribunal to prove the charge against the workman. Out of them, witnesses, namely, H.R. Uikey and T.S. Raut are the two Bank employees of Sasti Extension Counter of Rajura Branch of Bank of India and were working in the Bank at the time of the alleged occurrence. The Management also examined Shri Baburao Balakrishna Bandi, Kisan Laushman Pimpalkar and Shri Ramdas Govindrao Giradkar. All the above witnesses were cross-examined by the advocate for the workman.

In support of his defence, the workman besides examining himself, examined two witnesses, namely Tushar Vasantrao Deopujari and Dr. Trimbak Arjun Pandilwar. It is necessary to mention here that though the two witnesses examined on behalf of the workman were cross-examined, the workman could not be cross-examined, firstly as except Marathi, he did not know Hindi or English and thereafter, as he expired before his cross-examination. It is also necessary to mention here that as cross-examination of the workman could not be done, the management filed writ petition No. 1085/2002 before the Hon'ble High Court, Nagpur Bench and the Hon'ble Court while disposing the writ have been pleased to direct that, "In our opinion in the facts and circumstances of the case and more particularly in the eventuality of respondent No.2 having died, the Trial Court while deciding the matter has to take into consideration the fact that the version of

respondent No.2 has gone unchallenged because permission to cross-examine was refused. The Presiding Officer should not treat that the version of respondent No.2 went unchallenged. With these observations, the petition stands disposed of. In view of the direction of the Hon'ble Court, the statement of the workman cannot be taken to be unchallenged, even though there was no cross-examination for testing the veracity of his statement.

After the death of the workman, the wife of the workman, Mrs. Shobha Prakash Meshram was also examined as a witness in support of the defence.

7. At the time of argument, it was submitted by the learned advocate for the management that even though the Tribunal held the domestic enquiry to be not legal and proper, permitted the management to lead evidence to prove the charges levelled against the workman and accordingly five witnesses have been examined including Shri Baburao Bandi the customer from whose account, the amount of Rs. 1500 was withdrawn, Shri Kisan Laushman Pimpalkar and Shri Ramdeo Giradkar and for their evidence it can be found that the management has been able to prove beyond doubt that at the instance of the workman, Giradkar received the amount of Rs. 1500 withdrawn from the account of Shri Bandi and after receipt the amount, he handed over the said amount to the workman, but the workman did not hand over the same either to Shri Bandi or to Shri Pimpalkar and as such the charge against the workman has duly been proved. It was also submitted that the rebuttal evidence adduced by the workman has no evidentiary value and the same also in no way disproves the charge levelled against the workman and in view of the serious misconduct committed by the workman, the order of termination of service of the workman is legal and proper and there is no ground to interfere with such punishment.

8. On the other hand, the learned advocate for the workman submitted that it is clear from the evidence adduced by the management that the cash of Rs. 1500 withdrawn from the account of Shri Bandi was received by Shri Giradkar and not by the workman and Shri Giradkar had signed on the back of the withdrawal slip in token of receipt of the cash of Rs. 1500 and the workman had no role to play in the matter of withdrawal or receipt of the money and the allegations against the workman that he instigated Shri Giradkar to receive the money and that Giradkar handed over the money to the workman are false and such a false story was created by Shri Giradkar, who in fact fraudulently received the amount of Shri Bandi and the workman was unnecessarily involved by Shri Giradkar in his attempt of self exculpation. It was also submitted by the learned advocate for the workman that there is no evidence on record to show that the workman received the amount of Rs. 1500 from the bank or that Shri Giradkar paid the amount to the workman and the workman was a part time Sweeper in the branch and he had no nexus with

the clerical or cashier job and management has failed to bring any evidence on record to substantiate the charges against the workman.

8. In view of the submissions made by the parties, it is necessary to evaluate the evidence adduced by the parties and to find out as to whether the management has been able to substantiate the charges levelled against the workman or not.

It is the admitted case of the management that cash of Rs. 1500 withdrawn from the account of Shri Bandi was paid to Shri Giradkar by the cashier of the bank and Shri Giradkar signed on the back of the withdrawal form in token of receipt of the said amount. It is not the case of the management that cash of Rs. 1500 was directly paid to the workman by the cashier and the workman received the same from the cashier. According to the charge sheet submitted by the management against the workman, on 12-9-88, one Shri K.L. Pimpalkar, an employee of Western Coalfields Ltd. came to the Bank's Sasti Extension Counter with the passbook of Saving Account No. 1055 of Shri B.B. Bandi alongwith a withdrawal slip for withdrawal of a sum of Rs. 1500 and as there was heavy rush, Shri Pimpalkar kept the passbook and withdrawal form on the counter requesting the workman to look after the passbook and withdrawal form, with the intention to come back after some time to collect the cash and when Shri R.G. Giradkar, another employee of WCL came to the bank for withdrawal of his own salary, the workman approached him with the passbook of Saving Account No. 1055 and the withdrawal slip for Rs. 1500 and got his signature on the withdrawal slip and also issued token to Shri Giradkar and after the payment of Rs. 1500 was made to Shri Giradkar, the workman received the amount of Rs. 1500 from Shri Giradkar but he did not hand over the said amount to Shri Pimpalkar, who came to the Bank to collect the said amount subsequently and misappropriated the same. In view of the charge mentioned above, it is only to be considered as to whether the workman had approached Shri Giradkar to receive the amount of Rs. 1500 by signing the withdrawal form of Shri Bandi and whether he received the said amount from Shri Giradkar and misappropriated the same.

Shri B.B. Bandi in his statement has stated that on 12.9.88, he gave his passbook and the withdrawal slip duly filled in by him to Shri Pimpalkar for withdrawal of Rs. 1500 from his account of Bank of India, Sasti Extension Counter and Shri Pimpalkar came to him at about 2.30 to 3.00 PM and informed him about somebody else of taking away the amount of Rs. 1500 by signing the withdrawal form, so he went to the bank and informed the staff of his not receiving the payment of Rs. 1500 and the staff members showed him the withdrawal form, which was signed by Shri Ramdas Govind Giradkar at the reverse and he was informed by the bank staff that the payment was given to Shri Giradkar and on the next day i.e. 13-9-1988, he went with Shri Giradkar to the bank and at the bank, Shri Giradkar stated that he signed on the back side of the withdrawal

form and received the payment, as asked by the workman. Shri Prakash Meshtam and later on handed over the said amount to the workman and when he threaten Shri Giradkar to launch a police complaint in case of his not getting back the money, Shri Giradkar borrowed Rs. 1500 from others and gave the same to him in the bank premises, in presence of the staff. The evidence of Shri Bandi that Shri Giradkar informed in the bank that he signed on the withdrawal form and received the amount of Rs. 1500 as per the direction of the workman and that he handed over the sum of Rs. 1500 to the workman has not at all been challenged in the cross-examination.

9. Shri Pimpalkar, who was entrusted with the passbook and withdrawal form by Shri Bandi to withdraw the amount of Rs. 1500 has categorically stated that on 12-9-1988, Shri Bandi gave a duly filled in withdrawal form and his pass-book to him, for withdrawal of money from Bank of India, Sasti Extension Counter and he went to the Bank with the pass-book and the withdrawal form and as there was rush in the bank, he kept the withdrawal form and the pass-book near the counter, where pass-books of other customers were kept and he asked the workman to keep watch on the pass-book and the withdrawal form and due to the rush in the bank, he left the bank and again returned to the bank at about 12.30 to 1.00 PM to receive the payment and he was informed by the cashier that the payment of Shri Bandi had already been made, so, he met Shri Bandi and informed him about somebody signing and taking away the payment and thereafter, he alongwith Shri Bandi again went to the bank and peruse the withdrawal slip and found the same to have been signed by Shri Giradkar at the back and he enquired from the workman about the passbook but the workman denied of having any knowledge about the same and told that the passbook might be lying near the counter window and the cashier informed them that the payment was received by Shri Giradkar and on 13.9.88, he was called for to the bank and in the bank Shri Bandi, Shri Giradkar and the staff members were present and Shri Giradkar asked the workman about the payment and passbook of Shri Bandi, which he had given to the workman and the workman admitted to have received the amount of Rs. 1500 from Shri Giradkar and to have handed over the same to another person. The evidence of Shri Pimpalkar that the workman had admitted to have received the cash of Rs. 1500 from Shri Giradkar has not been challenged in the cross-examination.

10. The evidence of Shri Giradkar is more or less to the same effect. Shri Giradkar had stated that on 12-9-88, he went to the bank to withdraw money and he tendered his passbook at the counter and received the token and at that time, the workman who was standing there asked him to sign on the back of one withdrawal form of Rs. 1500 of Shri Bandi, stating that he himself should not sign on the same and accordingly, he signed on the withdrawal form and returned the same alongwith the passbook to the workman and he tendered the token of Shri Bandi's account to the cashier and received an amount of Rs. 1500 and the

passbook and handed over the amount of Rs. 1500 and the passbook to the workman, as asked by him and left the branch and on 13-9-88, Shri Bandi came to his house and enquired about the payment of Rs. 1500 and he explained Shri Bandi of his signing on the withdrawal form and receiving the amount of Rs. 1500 at the instance of the workman and that he handed over the said amount and the passbook to the workman and then he went to the bank alongwith Shri Bandi, where staff of the bank and the workman were present and he questioned the workman why he did not give Rs. 1500 and the passbook to Shri Bandi, but the workman stated that the amount of Rs. 1500 taken by him was given to another person and when Shri Bandi threatened him (Shri Giradkar) for lodging complaint with the police, he borrowed the cash of Rs. 1500 from others and gave the same to Shri Bandi. The evidence of Shri Giradkar in respect of his assertion that the workman admitted to have received the amount of Rs. 1500 and the passbook of Shri Bandi from him and that the workman told to have handed over the said amount to another person has not been challenged in the cross-examination.

11. The evidence of Shri Bandi, Shri Pimpalkar and Shri Giradkar has been fully corroborated by the evidence of the two employees of the bank, who have been examined by the management in support of its case. Shri H.R. Ukey has stated that he was a staff of the Bank of India of Sasti Extension Counter and on 12-9-88, at 2.30 PM, a customer came to the branch and enquired about withdrawal of Rs. 1500 and his passbook, which had been kept near the window counter and they searched for the passbook but would not be able to trace out the same, so they asked the customer to wait for some time and when the cashier was writing the cash payment book, he found the withdrawal form and that the payment was made to one Shri Giradkar, who had signed at the back of the withdrawal form and the customer was advised to bring Shri Giradkar to the bank and on 13-9-88, at 12.00 noon, the customer, Shri Bandi brought Shri Giradkar to the bank and when Shri Giradkar was questioned about the withdrawal, he admitted to have received the amount of Rs. 1500 but said that he handed over the said amount to the staff Sweeper, Shri Prakash Meshram and being questioned, Shri Prakash Meshram admitted in front of all the staff member that he had taken the cash of Rs. 1500 from Giradkar and gave the same to another person. The evidence of the other bank employee, Shri T.S. Raut is to the same effect. He has also categorically stated that when the workman was asked about the payment, he admitted in presence of all staff members of the bank that he had taken the cash from Shri Giradkar and gave it to some other person and Shri Giradkar told them that the workman asked him to sign on the back side of the withdrawal form and in good faith, he signed on the same. The two bank employees have been cross-examined at length, but their statement that the workman admitted to have received the cash of Rs. 1500 from Shri Giradkar have not been challenged. It is found that the

two bank employees had no axe to grind against the workman, so as to falsely implicate him. So, it is clear from the evidence of the witnesses examined from the side of the management that the workman asked Shri Giradkar to sign on the withdrawal form of Shri Bandi and to receive the amount of Rs. 1500 and after Shri Giradkar received the amount of Rs. 1500 from the cashier, he took the same and did not give it either to Shri Bandi or Shri Pimpalkar.

12. So far as the evidence adduced on behalf of the workman is concerned, it is found that the evidence of the witnesses, Shri Tushar Vasantrao Deopujari and the wife of the workman has no evidentiary value. Shri Deopujari has stated about the mismanagement in the bank, but in the cross-examination, he has admitted that he has no knowledge about the occurrence that happened on 12-9-88 in the Sasti Branch Extension Counter. Likewise, wife of the workman has denied to have any knowledge about the occurrence on 12-9-88. So far as the evidence of the workman and the witness Dr. Trimbak Arjun Pandilwar is concerned, it is found that the workman while adducing evidence tried to introduce the plea of alibi. The workman has stated that on 12-9-88, he left the branch at about 10.30 AM to reach Dr. Pandilwar's dispensary and he was not present in the bank premises after 10.30 AM, on that day. Dr. Pandilwar has also stated that, on 12-9-88, Shri Prakash Meshram was in his dispensary from 10.45 AM onwards till 4.00 PM and 13-9-88 evening, he heard about the incidence happened in the bank. However, no reliance can be placed on such evidence, because in the statement of claim, no such plea of alibi was taken by the workman. Moreover, in view of the clear evidence of the five witnesses examined on behalf of the management including two employees of the bank, who had no reason to depose falsely against the workman, it is clear that the workman admitted before the witnesses to have taken cash of Rs. 1500 from Shri Giradkar, after Shri Giradkar received the same from the cashier and Shri Giradkar signed on the withdrawal form of Shri Bandi and received the amount from the cashier in good faith being asked by the workman. I find that even if, it has been held that the enquiry was not proper, still then, management has been able to prove the charge against the workman. The charge proved against the workman is very serious in nature. The workman was an employee of the bank and bank is a public financial institution, where the element of honesty and integrity is of paramount importance. The workman was found lacking on that aspect and as such, punishment of dismissal from service against the workman is found to be not shockingly disproportionate. Hence, it is ordered :—

ORDER

The action of the management of Bank of India, Chandrapur is justified in dismissing the services of Shri Prakash Meshram w.e.f. 28-5-90 and the workman was not entitled to any relief.

J. P. CHAND, Presiding Officer

नई दिल्ली, 10 दिसम्बर, 2010

Dated, the 29-11-2010

का.आ. 104.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी.सी. सी.एल. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. 1, धनबाद के पंचाट (संदर्भ संख्या 129/1995) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-2010 को प्राप्त हुआ था।

[सं. एल-20012/489/1994-आईआर(सी-1)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 10th December, 2010

S.O. 104.—In Pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 129/1995) of the Central Government Industrial Tribunal-cum-Labour Court, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C.L. and their workmen, which was received by the Central Government on 10-12-2010.

[No. L-20012/489/1994-IR (C-1)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. I AT DHANBAD**

In the matter of a reference U/S. 10 (1) (d) (2A) of I.D. Act.

REFERENCE No. 129 of 1995**Parties :**

Employers in relation to the management of North Tisra Colliery of M/s. B.C.C. Ltd.

AND

Their workmen

PRESENT : Shri H.M. SINGH, Presiding Officer**APPEARANCES :**

For the Employers : Shri H. Nath, Advocate.

For the Workman : Shri N. G. Arun,
Authorised Representative.

State: Jharkhand Industry: Coal

AWARD

By Order No. L-20012/489/94-IR (Coal-I) dated 3-11-95 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of North Tisra Colliery of M/s. B.C.C.L. in dismissing from service of Shri Bishun Poldar is justified? If not, to what relief the concerned workman is entitled?”

2. Written statement has been filed on behalf of the concerned workman stating that the concerned workman was working as minor/loader at IUJ Pit of North Tisra Colliery of M/s. BCCL. On 15-12-92 the manager of North Tisra Colliery issued a chargesheet to the concerned workman alleging that on 14-12-92 in the night at about 2.50 P.M. he was caught red handed while indulging in theft of cables from the store. A letter was handed over to the Police for necessary action by the CISF. A reply was submitted by the concerned workman denying the allegation levelled against him. The reply was not found satisfactory by the management and Sri. A. B. Sinha was appointed as Enquiry Officer to conduct enquiry. The enquiry was held perfunctory and the concerned workman was not given full opportunity to defend his case. On the basis of enquiry report submitted by the Enquiry Officer the concerned workman was dismissed from service vide letter No. BCCL/UTC/93/Per/78 dated 3-7-93. Thereafter as industrial dispute was raised before the A.L.C. (C) vide letter dated 15-9-93 regarding the illegal dismissal of the concerned workman and the present reference is outcome of this dispute. On the basis of the Police report a case was filed before the Trial Court at Dhanbad. On filing the case against the concerned workman, the workman moved the District Sessions Judge for bail and by order dated 13-1-93 the Sessions Judge granted him a bail and this case is still pending in the Labour Court. It is alleged that the concerned workman was said to have been caught at colliery site in the night of 14/15-12-92. In the seizure list which was prepared at 4 P. M. on 15-12-92 at Tisra Police Station there was no signature of the concerned workman over the document prepared by the Police Station. The enquiry was not conducted by the Enquiry Officer according to the rules of natural justice. He was suspended alongwith charge-sheet vide order dated 15-12-92 but inspite of repeated requests he has not been paid any suspension allowance since the date of the suspension i.e. 15-12-92 till the date of dismissal i.e. 3-7-93 which is illegal and he is entitled to get this suspension allowance. Reasonable opportunity was not given to the concerned workman to defend himself in the enquiry. Since the charges were not

proved beyond reasonable shadow of doubt, the dismissal of the concerned workman is illegal, arbitrary and unjustified and malafide, hence it is liable to be set aside.

It has been prayed that the Hon'ble Tribunal be pleased to hold that the action of the management in dismissing the concerned workman w.e.f. 3-7-93 is unjustified and the concerned workman is entitled to be reinstated in service with back wages.

3. Written statement has been filed on behalf of the management stating that the concerned workman was working as minor/loader at North Tisra Colliery. In the night of 14-12-92 at about 2.15 A. N. when Petrolling party of CISF during their petrolling seized 250 ft. Cable which was dragged out of Store by miscreants. On the request of CISF party when Hari Narain Singh, Store Keeper opened the lock of the gate of store they caught a thief sitting inside the store who was recognised as Bishan Holdar, the concerned workman. The F.I.R. was lodged with the Local Police and the concerned workman was issued a chargesheet vide letter dated 15-12-92. The reply dated 19-1-93 was not found satisfactory and enquiry was held against the concerned workman by Shri A. B. Sinha, Dy. P. M., North Tisra Colliery. During enquiry the concerned workman was given full opportunity to defend himself and he was also given opportunity to take assistance of any co-worker. But he declined to take assistance of any co-worker. The Enquiry Officer conducted enquiry according to the rules of natural justice and the concerned workman fully participated in the enquiry. The Enquiry Officer held that the charge levelled against the concerned workman in the chargesheet dated 15-12-92 fully established. The Enquiry Officer submitted his report to the Superintendent/Mine Manager who in turn marked the same to the Dy. CME, North Tisra Colliery. The General Manager approved the dismissal order and the concerned workman was dismissed from his service vide dismissal order dated 3-7-73 with immediate effect. In view of the seriousness of the offence the action of the management of North Tisra Colliery in dismissing the concerned workman is fully justified.

It has been prayed that the Hon'ble Tribunal be pleased to and the award holding that the action of the management of North Tisra Colliery of M/s. BCCL in dismissing from service of the concerned workman is justified and the concerned workman is not entitled to any relief.

4. Both the parties have filed their respective rejoinders admitting and denying some contents of same of the paragraphs of each other's written statement.

5. The management produced MW-1, H. Yadav and proved documents as Exts. M-1 to M-8. The concerned workman has not adduced any evidence.

6. The concerned workman was removed from service by the management on the ground that he committed theft on 14-12-92 at 2.45 A.M. and he was caught red handed by C.I.S.F. and 250 ft. Cable was recovered from him. An F.I.R. was also lodged against the concerned workman to the local police. Reply to the chargesheet of the concerned workman was not found satisfactory by the management and the enquiry was conducted. He was allowed to produce documents and the adduce evidence. After enquiry he was dismissed from service.

7. The concerned workman's representative argued that he was bailed in theft case, but by getting bail from Civil Court it cannot be presumed that he was not caught red handed in the night of 14-12-92 at about 2-15 while indulging in theft of cables from the store of the colliery. Such a person who has been caught red handed cannot claim any right to be employed in the management of M/s. BCCL and is not entitled any sympathy by the management to get service. Publication was made and notices were sent to him by post but he has not cared. In the criminal case the concerned workman was acquitted, but no paper has been filed which may show that he was acquitted by Civil Court so that it may be shown that he was innocent. The enquiry was held not fair and proper by order dated 29-8-2009.

7. In view of the above facts and circumstances, I hold that the action of the management of North Tisra Colliery of M/s. BCCL in dismissing from service of Shri Bishan Haldar is justified and the concerned workman is not entitled to any relief.

This is my Award.

H. M. SINGH, Presiding Officer

नई दिल्ली, 10 दिसम्बर, 2010

का.आ. 105.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं रिगोनेल इन्स्यूटीड ऑफ एंजुक्शन के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, भुवनेश्वर के पंचाट (संदर्भ संख्या 29/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-2010 को प्राप्त हुआ था।

[सं. एल-42012/15/2005-आईआर(सीएम-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 10th December, 2010

S.O. 105.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 29/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Bhubaneswar as shown in the Annexure in the Industrial Dispute between the management of Regional

Institute of Education and their workmen, received by the Central Government on 10-12-2010.

[No. L-42012/15/2005-IR (CM-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL- CUM-LABOUR COURT, BHUBANESWAR

PRESENT:

Shri J. Srivastava,
Presiding Officer, C.G.I.T.- cum-Labour
Court, Bhubaneswar.

Industrial Dispute Case No. 29/2005
L-42012/15/2005-IR (CM-II), dated 8-11-2005

Date of Passing Order—26th November, 2010

BETWEEN:

The Management of the Principal,
Regional Institute of Education,
P.O. R.I.E. Campus,
Sachivalaya Marg,
Bhubaneswar - 751 022

....1st Party-Management

AND

Their Workmen represented through the
President, Regional Institute of Workers Union,
At-2RA-50, Road No. 4, Unit - IX,
Bhubaneswar - 751 007

...2nd Party-Union

APPEARANCES

Shri U. K. Nanda, For the 1st Party -
Principal Management

None : For the 2nd Party -
Union.

ORDER

Case taken up today before Lok Adalat. The 1st Party - Management is present through its Principal, who has filed hazira. None is present on behalf of the 2nd Party-Union.

The case is fixed for further orders today. The 2nd Party-Union has sent a withdrawal petition dated 25-1-2010 to this Tribunal by post stating that the Management is taking some steps to consider the matter of the disputant-workmen as same posts are lying vacant.

The 1st Party-Managements represented through the Principal has filed a memo that the cases of all disputants involved in this case have already been considered and they were given temporary status as per

letter dated 8-6-2010 copy of which has been enclosed. Therefore the case may be closed.

The 2nd Party-Union has not been attending the Tribunal after sending the withdrawal petition. Therefore it seems that the 2nd Party-Union is no more interested in pursuing the case. Several notices to the 2nd Party-Union were also sent but no response has been received. As such it will be expedient in the interest of justice to allow the withdrawal petition of the 2nd Party-Union.

Reference is decided as withdrawn and no dispute award is passed accordingly.

Dictated & Corrected by me.

J. SRIVASTAVA, Presiding Officer

नई दिल्ली, 10 दिसम्बर, 2010

का.आ. 106.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय पंजाब नेशनल बैंक के पंचाट (संदर्भ संख्या 30/2010) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-12-2010 को प्राप्त हुआ था।

[सं. एल-12011/14/2010-आईआर(बी-II)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 10th December, 2010

S.O. 106.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.30/2010) of the Central Government Industrial Tribunal/Labour Court-1, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Punjab National Bank and their workmen, which was received by the Central Government on 9-12-2010.

[No. L-12011/14/2010-IR (B-II)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE DR. R. K. YADAV, PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
NO.1 KARKARDOOMA COURTS COMPLEX
DELHI

I. D. No. 30/2010

The General Secretary,
PNB Workers Organisation C/o Arunanshu Bhardwaj,
2004, Housing Board Colony,
Sector - 4, Konsiwas Road,
Rewario.

... Workman

Versus

The General Manager (HRD),
Punjab National Bank,
Bhikaji Cama Place,
New Delhi.

.....Management

AWARD

On 16th of January, 2008, Shri Arunanshu Bhardwaj, who was working as Clerk-cum-typist at Kund (Rewari) branch of Punjab National Bank (hereinafter referred to as the Bank), was placed under suspension for misconducts committed by him. Charge sheet dated 24th of April, 2008, was served upon him on 12th of May, 2008 calling upon him to submit written statement of his defence. When he failed to submit reply to the charge-sheet, vide order dated 22-7-2008 an enquiry was initiated against him. During the course of enquiry he was paid subsistence allowance initially for first three months @ 1/3rd of his pay and allowances and thereafter one half of his pay and allowances. The enquiry lasted till 15-10-2009 and thereafter the Enquiry Officer submitted his report before the Disciplinary Authority. Punishment was awarded to Shri Arunanshu Bhardwaj. He opted to raise a dispute before the Conciliation Officer that subsistence allowance, paid to him by the Bank, was not in consonance with provisions of settlement dated 8th of September, 1983. The Bank dispelled his claim, which resulted in the failure of conciliation proceedings. On consideration of failure report, submitted by the Conciliation Officer, the appropriate Government referred the dispute to this tribunal for adjudication vide order No. L-12011/14/2010-IR (B-II) New Delhi dated 30-3-2010, with following terms :—

"Whether the delay in conduction of the enquiry by the Enquiry Officer is due to the act of the workman or that of the management and whether non payment of full pay and allowances to the workman after one year from the date of suspension as provided under Bipartite Settlement is just, fair and legal? If not to what relief the workman is entitled to and from which date?"

2. Claim statement was filed by Shri Arunanshu Bhardwaj pleading therein that he was appointed clerk-cum-typist with the Bank, which institution he served for 20 years. In October, 1993 he was posted at Kund branch of the Bank. On 16-1-2008 he was placed under suspension by the Branch Manager. Details leading to his suspension, were brought to his notice on 12-5-2008, when charge sheet dated 22-4-2008 was served. The Bank had deliberately prolonged to his suspension for a period of four months. Bank was under an obligation to provide all documents alongwith list of witnesses who were to be examined before the Enquiry Officer. He demanded documents vide letters

dated 15-5-08, 31-5-08 and 15-7-08 for marking a statement of defence to the charge sheet. On 22-7-08 the enquiry was initiated which could commence on 23-8-2008. He intimated the Enquiry Officer about his inability to attend the proceedings on 8-9-08 since he was unwell. On 22-9-2008 he alongwith his defence representative participated in the enquiry while proceedings were adjourned to 10-10-2008, on account of non participation of the presenting officer. Biased and prejudiced attitude of the Bank resulted in deliberately disallowing his defence representative to attend the proceedings on 22-10-2008, which action was challenged by him. He requested the Enquiry Officer to unfold reasons of disallowing his defence representative to participate in the enquiry on various dates that is on 1-11-2008, 8-11-2008, 15-11-2008, 24-11-2008, 5-12-2008 and 24-12-2008. However the Enquiry Officer did not proceed with the matter on account of illegal and unjustified stand taken by the Bank. He presents that the enquiry was conducted for a period of more than one year, on account of reasons attributable to the Bank.

3. Claimant agitates that he was entitled to subsistence allowance @ 1/3rd of his pay and allowances for first three months of his suspension and thereafter one half of his pay and allowances. After one year he was entitled to full pay and allowances as subsistence allowance, in case the enquiry was not delayed for reasons attributable to him or his defence representative. As projected above the enquiry was delayed on account of reasons attributable to the Bank, hence after expiry of period of one year from the date of his suspension he was entitled to full pay and allowance as subsistence allowance. He claims that he is entitled to full pay and allowances as subsistence allowance since 16-1-2009. He made request to the Bank through letters dated 27-11-08, 30-12-08, 14-1-2009, 5-1-2009 and 10-6-2009 besides legal notice dated 2-5-2009 for payment of his subsistence allowance in accordance with Bipartite Settlement but to no avail. In May, 09 a sum of Rs. 58554.24 was credited to his bank account by the Bank when it was realized that an illegality was committed in payment of subsistence allowance to him. He claims that subsistence allowance paid to him was in violation of Bipartite Settlement and he was entitled to full pay and allowances as subsistence allowance, after expiry of one year from the date of his suspension. He seeks an award in that regard in his favour.

4. Contest was given to the claim pleading that dispute raised by the claimant is not an industrial dispute for want of espousal by a recognized trade union of the establishment of the Bank. It has been projected that service conditions of the award staff are governed by Sastry Award, Desai Award and various Bipartite Settlements arrived at industry level. Clause 5 of Bipartite Settlement dated 8-9-83 deals with payment of subsistence allowance. A suspended employee is to get one third of pay

and allowances as subsistence allowance for first months of suspension and thereafter one half of his pay and allowances. After one year he is to get full pay and allowances as subsistence allowance, if enquiry is not delayed for reasons attributable to him or his defence representative. Subsistence allowance was paid to the claimant in accordance with the provisions, referred above. The enquiry was delayed for reasons attributable to the claimant and his defence representative. Hence he was entitled to full pay and allowance as subsistence allowance after one year of his suspensions. Factum of his suspension on 16-1-2008 has not been disputed. It has also not been disputed that charge sheet dated 22-4-2008 was served on the claimant. The Bank presents that since the enquiry was delayed for reasons attributable to the claimant, his claim for subsistence allowance equal to full pay and allowance is not maintainable.

5. On pleadings of the parties following issues were settled:

1. Whether dispute referred by the appropriate Government is not an industrial dispute for want of espousal by recognized registered union in the establishment of the management?
2. Whether delay in conduct of the enquiry can be attributed to the workman?
3. As in terms of reference.
4. Relief.

6. Claimant had tendered his affidavit Ex.WW1/A as evidence besides reliance on documents Ex.WW1/1 to Ex.WW1/21. He was cross examined at length on behalf of the Bank. The claimant opted not to examine any other witness. The Bank decided not to examine any witness in its defence.

7. Arguments were heard at the bar. Shri Manish Goomber, authorised representative, advanced arguments on behalf of the claimant. Shri Rajat Arora, authorised representative, raised his submissions on behalf of the Bank. Written submissions were also filed on behalf of the claimant. I have given my careful consideration to the arguments advanced at the bar and cautiously perused the record. My findings on issues involved in the controversy are as follows:

Issue No. 1

8. At the outset it was argued by Shri Arora that he dispute raised by the claimant is an individual dispute. It does not fall within the ambit of Industrial dispute as defined by clause (k) of Section 2 of the Industrial Disputes Act, 1947 (in short the Act), since it has not been espoused by a union in the establishment of the Bank. Since an individual dispute has been referred for adjudication this Tribunal cannot invoke its jurisdiction over the matter claims Shri Arora. According to him no evidence worth name was laid

by the claimant before this Tribunal, relating to espousal of the dispute by a union. He agitates that in affidavit Ex.WW1/A the claimant does not speak anything in respect of espousal of his claim by Punjab National Bank Workers Organisation. Shri Arora argued that with a view to cover up the lacunas the claimant coined a story in that regard. To dispel submissions advanced by Shri Arora, Shri Goomber presents that case of the claimant was adapted by Punjab National Bank Workers Organisation, hence it had acquired status of an industrial dispute. Resolution dated 20-8-2009 was passed in that regard, presents Shri Goomber. He argued that though the said resolution has not been proved yet it has been placed over the record of the Tribunal by the claimant. According to him, the dispute referred for adjudication is an industrial dispute and it does not lie in the mouth of the Bank to assert that this Tribunal has no jurisdiction to entertain the reference.

9. For an answer to above proposition it is expedient to have a glance on provisions of the Act. Provisions of Section 10 of the Act, make it clear that the appropriate Government may refer an existing or apprehended dispute to the Industrial Tribunal for adjudication. Industrial dispute has been defined by clause (k) of Section 2 of the Act. Definition given in the said sub-section encompasses within its sweep any dispute or difference between the employer and employers, or between employer and workmen or between workmen and workmen, which is connected with the employment or non employment or terms of employment or with the conditions of labour of any person. The Act is a legislation relating to what is known as "collective bargaining" in the economic field. This policy of the legislature is also implicit in the definition of the industrial dispute.

10. The Apex Court in *Bombay Union of Journalists (1961) (II) LLJ 436* has observed that in each case in ascertaining whether an individual dispute has acquired the character of an industrial dispute, the test is whether at the date of reference, the dispute was taken up as supported by the union of the workmen of the employer against whom the dispute is raised by an individual workman or by an appreciable number of workmen. In order therefore to convert an "individual dispute" into an "industrial dispute", it has to be established that it had been taken up by the union of employees of the establishment or by an appreciable number of the employees of the establishment. As far as union of the workmen of establishment itself is concerned the problem of espousal by them generally presents little difficulty as the workmen who are members of such unions generally have a continuity of interest with an individual employee who is one of their fellow workman. But the difficulties arise when the cause of a workman in a particular establishment, is sponsored by a union which is not of the workmen of that establishment but is one of which membership is open to workmen of their

establishment as well in that industry. In such a case a union which has only microscopic number of the workmen as its member cannot sponsor any dispute arising between the workmen and the management. Representative character of the union has to be gathered from the strength of the actual number of co-workers sponsoring the dispute. The mere fact that a substantial number of workmen of the establishment, in which the concerned workman was employee, were also members of the union would not constitute sponsorship. It must be shown that they were connected together and arrived at an understanding by a resolution or by other means and collectively supported the dispute.

11. What a substantial or considerable number of workmen would in a given case, depend on particular facts of the case. The fact that an "industrial dispute" is supported by other workmen will have to be established either in the form of a resolution of the union of which workman may be member or of the workmen themselves who support the dispute or in any other manner. From the mere fact that a general union, at whose instance an "industrial dispute" concerning an individual workman is referred for adjudication has on its roll a few of the workmen of the establishment as its members, it cannot be inferred that the individual dispute has been converted into an "industrial dispute". The Tribunal has therefore to consider the question as to how many of the fellow workman actually espoused the cause of the concerned workman by participating in the particular resolution of the Union. In the absence of such a determination by the Tribunal, it cannot be said that the individual dispute acquired the character of an industrial dispute and the Tribunal will not acquire jurisdiction to adjudicate upon the dispute. Nevertheless, in order to make a dispute an industrial dispute it is not necessary that there should always be a resolution of substantial or appreciable number of workmen. What is necessary is that there should be some express or collective will of a substantial or an appreciable member of the workmen treating the cause of the individual workman as their own cause. Law to this effect was laid in *P. Somasundramaran* (1970 (1) LLJ 558).

12. It is not necessary that the sponsoring union is a registered trade union or a recognized trade union. Once it is shown that a body of substantial number of workmen either acting through a union or otherwise had sponsored the workman's cause, it is sufficient to convert it into an industrial dispute. In *Pardeep Lamp Works* (1970 (1) LLJ 507) complaints relating to dispute of ten workmen were filed before the conciliation officer by the individual workmen themselves. But their case was subsequently taken up by a new union formed by a large number of co-workmen, if not a majority of them. Since this union was not registered or recognized, the workmen elected five

representatives to prosecute the cases of ten dismissed workmen. Thus the cases of the dismissed workmen were espoused by the new union, yet unregistered and unrecognized. The Apex Court held that the fact that these disputes were not taken up by a registered or recognized union does not mean that they were not "industrial dispute".

13. It is not expedient that same union should remain incharge of that dispute till its adjudication. The dispute may be espoused by the workmen of an establishment, through a particular union for making such a dispute an "industrial dispute", while the workman may be represented before the Tribunal for the purpose of Section 36 of the Act by a number of executive or office bearer of altogether another union. The crux of the matter is that the dispute should be a dispute between the employer and his workmen. It is not necessary that the dispute must be espoused or conducted only by a registered trade union. Even if a trade union ceases to be registered trade union during the continuance of the adjudication proceedings that would not affect the maintainability of the order of reference. Law to this effect was laid by the High Court of Orissa in *Gammon India Limited* ((1974 (II) LLJ 34). For ascertaining as to whether an individual dispute has acquired character of an individual dispute, the test is whether on the date of the reference the dispute was taken up as supported by the union of the workmen of the employer against whom the dispute is raised by the individual workman or by an appreciable number of the workman. In other words the validity of the reference of an industrial dispute must be judged on the facts as they stood on the date of the reference and not necessarily on the date when the cause occurs. Reference can be made to a precedent in *Western India Match Co. Ltd.* (1970 (II) LLJ.256).

14. Now I turn to factual matrix. When testimony of *Shri Arunashu Bhardwaj* was purified by an ordeal of cross-examination, he projected a claim that his cause was espoused by Punjab National Bank Workers organisation on 20-8-09. He concedes that copy of the resolution of the Organisation has not been relied by him. He also concedes that copy of the said resolution was not filed by him before the Conciliation Officer. According to him, the meeting of the Organisation was not attended by him, which took place on 20-8-2009. He had not gone through the contents of the said resolution admits *Shri Bhardwaj*. He does not dispute that copy of that resolution was never tendered to the Bank. Therefore, facts unfolded by the claimant make it clear that neither he attended meeting of the Organisation on 20-8-09, or gone through the resolution which was passed adapting his cause. The resolution so passed was not relied by him before the Conciliation Officer. However he has had placed copy of the alleged resolution before this Tribunal for consideration. For convenience

sake, contents of the resolution are reproduced hereunder :

“It was resolved that Shri S. K. Rana, who is authorised defence representative in the case Shri Arunanshu Bhardwaj in the departmental enquiry. He will also defend Shri Bhardwaj in A.L.C. Faridabad, and CGIT, if required”.

15. On top of the document containing resolution, referred above it has been recorded that the contents are extract of the meeting held on 20-8-2009, the Sunday of the Union. Therefore the claimant wants to persuade this Tribunal to believe that on 20-8-2009 a meeting of the Organization took place wherein the resolution adapting his cause was passed. Whether there was an occasion for the Organization to pass the resolution, referred above on 20-8-09? For an answer to this proposition facts are to be scanned. Shri Rana was defence representative for the claimant before the Enquiry Officer, who defended him till 22-10-2008, on which date the Enquiry Officer debarred him to represent the claimant. The claimant insisted upon the Enquiry Officer to unfold reasons, which persuaded the latter to debar Shri Rana to act as defence representative. He raised issue before the Enquiry Officer on 1-11-2008, 8-11-2008, 15-11-2008, 24-11-2008, 5-12-2008 and 24-12-2008. When the Enquiry Officer had debarred Shri Rana to represent the claimant that was opportune time for the Organization to adapt a resolution and authorize Shri Rana to act as a defence representative on behalf of the claimant. At that juncture no such resolution was passed. Shri Rana was permitted to represent the claimant by the Enquiry Officer, vide his order dated 24-12-2008. Thereafter Shri Rana represented the claimant till the enquiry was concluded on 15-10-09. It is not a matter of dispute that proceedings lasted before the Enquiry Officer till 15-10-09 and thereafter he recorded his findings and submitted it to the Disciplinary Authority. Hence it is evident that till 15-10-09 it was in the womb as to what would be the result of the domestic enquiry. No one could contemplate the ultimate result of those proceedings. There was no occasion for the organization to pass resolution, referred above, authorizing Shri Rana to represent the claimant before the Conciliation Officer and the industrial adjudication.

16. There is other fact of the coin. When the case was listed for evidence before this Tribunal, Claimant sought time to file documents. At that juncture it was conceived by him to procure such a document from the President of the Organisation. Thereafter the aforesaid document was obtained and placed on the record. Claimant took no steps to prove it. Even otherwise the alleged resolution does not speak that the Organisation adapted the cause of the claimant. It is emerging over the record that with a view to fill in the gaps the aforesaid document was procured and placed over the record. To the knowledge

of the claimant it is a fabricated document, hence he had not tried to prove it. Consequently it is evident that the fact unfolded by the claimant relating to espousal of his cause by the Organisation are farther from truth. No reliance can be placed on the facts, so projected by the claimant. Evidence produced is flimsy, which has no genuineness. Consequently ocular facts unfolded by the claimant are discarded. It is held that the claimant has miserably failed to prove that his cause was espoused by the Organisation before the Conciliation Officer. When case of the claimant was not espoused by the Organisation before the Conciliation Officer, it had not acquired a character of an industrial dispute. In view of the reasons detailed above, I am constrained to conclude that for want of espousal by a recognized registered union in the establishment of the Bank, there was no industrial dispute before the appropriate Government which could be referred to this tribunal for adjudication. Issue is, therefore answered in favour of the Bank and against the claimant.

Issue No. 2 and 3

17. Though material is available over the record for adjudication as to whether delay in the enquiry, conducted by the Bank, is attributable to the claimant or any of his defence representative, yet this Tribunal is not called upon to enter into the controversy since it has no jurisdiction to deal with it. Thus Tribunal can adjudicate any incidental issue, if an industrial dispute has been referred for adjudication. But the Tribunal lacks jurisdiction, since when dispute referred to it for adjudication nowhere partakes the character of an industrial dispute. In view of the findings recorded on issue No. 1, this Tribunal refrains its hands from adjudication of the issues referred above.

Relief

18. Since the dispute referred, by the appropriate Government, for adjudication does not have a character of an industrial dispute, the claimant cannot seek adjudication of the issues raised in the dispute referred above. The appropriate Government was not competent to refer the dispute, for want of espousal by a recognized union of the establishment of the management bank. An award is, accordingly, passed. It be sent to the appropriate Government for publication.

Dated: 29-10-2010

Dr. R. K. YADAV, Presiding Officer

नई दिल्ली, 10 दिसम्बर, 2010

का.आ. 107.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. टी. सी. मूवर्स प्रा. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय -1, मुंबई के पंचाट (संदर्भ

संख्या सीजीआईटी-1/14/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-12-2010 को प्राप्त हुआ था।

[सं. एल-31011/1/2006-आई आर(बी-II)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 10th December, 2010

S.O. 107.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT-1/14/2006) of the Central Government Industrial Tribunal/Labour Court-1, Mumbai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. S.T.C. Movers Pvt. Ltd. and their workman, which was received by the Central Government on 9-12-2010.

[No. L-31011/1/2006-IR (B-II)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, MUMBAI

JUSTICE G. S. SARRAF, Presiding Officer

REFERENCE NO. CGIT-1/14 OF 2006

Parties:

Employers in relation to the management of M/s. S.T.C. Movers Pvt. Ltd.

And

Their Workmen

APPEARANCES:

For the Management : Shri B. K. Ashok, Adv.

For the Union : Absent.

State : Maharashtra

Mumbai, dated the 19th day of November 2010.

AWARD

1. This is a reference made by the Central Government in exercise of its powers under clause (d) of sub-section 1 of Section 10 of the Industrial Disputes Act 1947 vide Government of India, Ministry of Labour, New Delhi Order No. L-31011/1/2006-IR (B-II) dt. 14-6-2006. The terms of reference given in the schedule are as follows:

"Whether the action of the management of M/s. STC Movers Pvt. Ltd. dismissing the services of Shri Gurvinder Singh TLT Operator w.e.f. 6-10-2004 is justified? If not what relief the workman Shri Guruvinder Singh is entitled to?"

2. The workman is not present.

3. Mr. B. K. Ashok learned counsel for the Management states that the matter has been settled between the workman and the Management. There is an application of the workman also in the file wherein he has said that he has accepted all his dues in full and final terms and as such, he does not want to pursue the matter and that he will not have any claim against the Company in future.

4. It is thus clear that the matter has been settled between the workman and the Management.

5. The case, therefore, stands disposed of.

6. An Award is made accordingly.

JUSTICE G. S. SARRAF, Presiding Officer

नई दिल्ली, 10 दिसम्बर, 2010

का.आ. 108.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार न्यू इंडिया एश्योरेंस कं. लि. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एलसी/आर/27/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-12-2010 को प्राप्त हुआ था।

[सं. एल-17012/25/2000-आईआर(बी-II)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 10th December, 2010

S.O. 108.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/27/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of New India Assurance Co. Ltd. their workmen, which was received by the Central Government on 9-12-2010.

[No. L-17012/25/2000-IR (B-II)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/27/2001

Presiding Officer Shri Mohd. Shakir Hasan

Shri Dhannoo Lal,

S/o Shri Shankar Prasad Namdeo,

Vill. Chendai,

Tehsil Raghuraj Nagar,

Satna (MP)

... Workman/Union

Versus

The Divisional Manager,
NIAC, Head Office,
New India Assurance Company Ltd.,
Satna

... Management

AWARD

Passed on this 25th day of November, 2010

1. The Government of India, Ministry of Labour vide its Notification No.-L-17012/25/2000-IR(B-II) dated 29-12-2000 has referred the following dispute for adjudication by this Tribunal :—

“Whether the action of the Divisional Manager, New India Assurance Co.Ltd. Satna (MP) in terminating the services of Shri Dhanoo Lal Namdeo S/o Shri Shankar Prasad Namdeo from 30-4-97 instead of regularizing him after taking from him work as Sub Staff is legal and justified? If not, what relief the concerned workman is entitled to?”

2. The case of the workman in short is that he was employed by the management on the post of Peon/Daftri orally and worked from 1-5-1991 to 30-4-1997 continuously. Thereafter he was terminated orally without assigning any reason or without any show cause. It is alleged that no compensation was paid as has been required under Section 25-F of the Industrial Disputes Act, 1947 (in short Act, 1947). It is stated that juniors to him are still working with the management. It is submitted that the workman be reinstated in the service.

3. The management appeared and contested the reference by filing Written Statement. The case of the management, inter alia, is that there is no relationship of employer and employee between the management and the applicant. He was never employed on the post of Peon or Daftri. It is stated that he used to run a tea stall and supply tea to the staff members of the offices situated in the vicinity of the Divisional Office. He used to charge Rs. 1.50 per cup of tea and accordingly the charges towards the tea were directly paid in cash to him in company's vouchers. He was never on the rolls of the Insurance company. He was not workman as defined in Section 2(s) of the Act, 1947. The question of termination from employment does not arise. There is no merit in his case. It is submitted that the reference be, accordingly, answered.

4. On the basis of the pleadings of the parties the following issues are formulated for adjudication :—

I. Whether the applicant/workman was in the employment of the management and there was any relationship of employee and employer between them ?

II. Whether the applicant/ workman is entitled to be reinstated in the employment of the management ?

III. What relief, if any, the applicant is entitled to?

5. Issue No. I

The applicant has adduced oral evidence in the case. He has stated in his evidence that there was a tea club of the employees and he supplied tea to them. He has further stated that he maintained accounts of tea of the employees. He has proved paper Nos. 9/2 to 9/25 which is filed by the management and is marked as Exhibit M/1. The said document clearly shows that there was an account of supplying tea. This fact corroborates the case of the management that the applicant was a tea supplier to the employees and was not employee of the management. The workman has also filed certain vouchers. The vouchers show that he was engaged for specific work for specific day on fixed charges for cleaning purpose. The vouchers do not show that he had worked 240 days in a calendar year and specially twelve calendar months preceding the date of reference. His evidence does not corroborate that he worked for continuous one year as in Section 25-B of the Act, 1947.

6. On the other hand, the management has examined Shri R. K. Dikshit who is Dy. Manager, New India Insurance Co.Ltd., Satna. He has supported the case of the management. He has stated that the applicant was never employed as a Peon or Daftri. He was a tea vendor. He was paid tea expenses either in cash or in the name of pretty expenses under prevailing system in the company. He has not been cross-examined by the workman as the right to cross-examine the management witness was closed on his absence. His evidence is un rebutted and there is no reason to disbelieve this witness. Thus it is clear that there was no relationship of employer and employee and he was not workman under the Act, 1947. This issue is decided in favour of the management.

7. Issue Nos. II and III

On the basis of the discussion made above, it is clear that the workman has failed to establish that he was in employment of the management and therefore he is not entitled to any relief. Accordingly, the reference is answered.

8. In the result, the award is passed without any order to costs.

9. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 10 दिसम्बर, 2010

का.आ. 109.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ

बड़ौदा के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-I, चंडीगढ़ के पंचाट (संदर्भ संख्या 15/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-12-2010 को प्राप्त हुआ था।

[सं. एल-12012/80/2008-आई आर(बी-II)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 10th December, 2010

S.O. 109.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.15/2008) of the Central Government Industrial Tribunal/Labour Court-1, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of Baroda and their workman, which was received by the Central Government on 9-12-2010.

[No. L-12012/80/2008-IR (B-II)]

RAMESH SINGH, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH**

Case 1. D No.-15/2008

Shri Vijay Kumar Son of Ram Parshad,
resident of House No.32, Phase-II,
Ram Darbar, Chandigarh.

...Applicant

Versus

The Chief Manager,
Bank of Baroda, Sector 17,
Chandigarh

... Respondent

APPEARANCES

For the Workman : Shri O.P.Batra.

For the Management : Shri Pramod Jain.

AWARD

Passed on : 25-11-2010

Government of India vide notification No. L-12012/80/2008-IR(B-II), dated 11-2-2009 by exercising its powers under Section 10 of the Industrial Disputes Act, (the Act in short) has referred the following industrial dispute for adjudication to this Tribunal :—

“Whether the demand of Shri Vijay Kumar son of Shri Ram Parshad for regular employment as a peon in Bank of Baroda as per the settlement dated 18-3-2008 arrived at between the

management and Union of Bank of Baroda before the Dy. CLC(C), Mumbai is legal and justified? If so, whether Shri Vijay Kumar is entitled to be considered for absorption as regular peon in the employment of Bank of Baroda and from which date ?”

After receiving the reference parties were informed. Parties appeared and filed their respective pleadings. The case of the workman in nut shell is that he was appointed as peon in the Bank of Baroda SC No. 62-63, Sector 17-B, Chandigarh on 3-4-1996. He worked up to 30-4-2008 when his services were terminated without any notice or one month wages in lieu of notice and without any payment of retrenchment compensation. He has worked with the bank continuously for 12 years and 27 days and his work and conduct during this period has been satisfactory. He had completed 240 days in every calendar year including the preceding year from the date of his termination. He is qualified for the appointment of class-IV employees in the bank.

It is also contended by the workman that with the active participation of Deputy Labour Commissioner (Central), Mumbai there was an agreement between All India Bank Federation and the management regarding the casual and temporary peons working in the said bank. As per the agreement, the services of the casual and temporary peons were to be regularized in phased manner. The name of the workman was considered and forwarded by the manager of the branch concern to the Head Office for regularization of his services as per the memorandum of the agreement.

Instead of given the benefit to workman in terms of memorandum of the agreement, his services were orally terminated. Juniors to him were retained in the services. Their services were regularized, whereas, the services of the workman were terminated illegally. On the basis of the above, the workman has prayed for an order setting aside the termination order, reinstating him into the services with consequential benefits and for his regularization of services in terms of the memorandum of agreement mentioned above.

The management appeared and opposed the claim of the workman by filing written statement. The employer and employee relationship between the management and the workman has been challenged. It is contended by the management that for special staff, conditions and the modes of recruitment have been mentioned in the rules of the department. Any person who is appointed on casual basis or on ad hoc basis without following the procedure mentioned in the said rules will not be considered as the employee of the bank as the due procedure for appointment was not followed. In its written statement, the management has termed this appointment as back door entry and has relied upon the principles laid down in the Secretary, State

of Karnataka and other versus Uma Devi. In Short, it is the contention of the management that initial appointment of the workman was not lawful. The management has cited as more as eight judgment of Hon'ble the Supreme Court on nature of initial appointment.

On merits, it is contended by the management of the bank that workman was never appointed as peon. The workman was never appointed/engaged in the bank services either as a casual worker or a temporary peon. He was coming to the bank to seek some work for cleaning of outdoor for which the bank used to pay the agreed amount on the work charged basis. It is further more contended that he has intermittently worked in the bank, thus, he was not protected under the provisions or the Industrial Disputes Act, accordingly, no notice or one month wages in lieu of notice and retrenchment compensation were required to be paid. As he has not worked with the bank, so no question for absorption arise. Regarding annexure 3 which is the letter written by the Manager of the bank to the head office for the regularization of the services to the workman in terms of the settlement dated 18-3-2008, it is contended by the management that claimant is most clever and crafty man. In such activity he got his representation send to the respondent No. 2 though respondent No. 3 whose role is no more then a middle man between the claimant and the respondent No.2.

The fact of sending of Annexure-3 to the respondent No. 2 is a sheer outcome of the oversight on the part of the respondent No. 3. Annexure 3 is a false and fabricated document. Because of the back door entry, provisions of the settlement dated 18-3-2008 cannot be invoked.

The workman has filed certain documents to prove his relationship with the management. The management has contended that all the documents are false and fabricated. No such documents have been issued by the bank. Most of the documents as contended by the management have been prepared on letter head pad of the bank fraudulently.

Both of the parties were afforded the opportunity for adducing evidence. Shri Vijay Kumar the workman filed his affidavit and he was cross-examined in detail on 3-8-2010. On the other hand, Shri K.S. Shimar, Senior Manager, HRM, filed his affidavit on behalf of the management of the bank. He was cross-examined by learned counsel for the workman in detail. Some questions were also asked by this Tribunal during cross-examination.

Both of the parties also preferred to file the documentary evidence. Memorandum of agreement dated 11-2-2008 has been filed by both of the parties. This is marked as W1. W2 is the copy of the letter written by V. C. Nagar, Chief Manager of the bank to the Deputy General Manager on 24-4-2008, regarding the forwarding the

application of Shri Vijay Kumar for his absorption in services as peon in terms of agreement dated 11-2-2008.

Annexure 3 is an undertaking given by Shri Vijay Kumar in support of Annexure 2 for the absorption of his services as peon. In Annexure 3 the total number of years has been mentioned as 12 years. It is also mentioned that he was appointed on 3-4-1996 and was working till the forwarding of his application. Annexure 4 is the certificate issued by some officer of the bank regarding the terms of services and work and conduct of the workman while working with the bank. Annexure 5 is the letter written to the Chief Manager, Bank of Baroda, Sector-17-B, Chandigarh asking some information under the Right to Information Act, 2005. Annexure 6 is also the letter written by the workman to the bank. Annexure 7 is also the letter written by the workman to the bank.

W6 is the letter written by the management of the Bank to the Municipal Corporation, Chandigarh for issuing the passes to the vehicles belonging to the employees of the bank and the list of employees was also enclosed with the letter. It contains 24 names and the name of the workman figured at serial No. 14, W7, W8, W9 and W10 are the documents to prove that workman was working with the management.

The management has also filed the documents M 1 to M 26 which are the vouchers prepared in the name of the workman. Vide letter dated 17-9-2009 the management has also filed copy of peon delivery book as M29. Rest of the documents which were directed to be filed by the management have not been filed.

Parties were heard at length. The workman argued that he has worked for more than 12 years in the bank. He was eligible for absorption in services as per the settlement. His name was considered for absorption in the services but reasons known to the management, without complying with the provisions of the Industrial Disputes Act, his services were terminated.

On the other hand, learned counsel for the management has argued that all the documents filed and relied upon by the workman are fabricated. None of the documents belongs to the management. It is further argued by learned counsel for the management that workman has never worked with the bank. He has sometimes worked for cleaning the computer table and such other work for which he was paid wages as per the vouchers Annexure M 1 to M 26. He has not completed 240 days of work in the preceding year from the date of his termination and not entitled for any relief. Learned counsel for the management has admitted the execution of memorandum of settlement between the parties as alleged. Thus, there is no dispute on execution and existence of MW2, the memorandum of settlement, under which the workman is claiming for absorption of his services as peon. The dispute is the

nature of work entrusted to and discharged by the workman and the period of services. The workman has claimed that he has worked for more than 12 years continuously, whereas, the management has challenged the very master and servant relationship on the contention that he was never appointed as temporary peon or casual worker.

The management has also stated that his initial appointment was unlawful and not according to the procedure mentioned in the rules. It is argued by learned counsel that on the principle laid down in *Uma Devi* case (supra) the workman is not entitled for any relief.

It is hereby made clear that the principle laid down by Hon'ble the Apex Court in *Uma Devi*'s case (supra) is not applicable in the industrial dispute raised and referred under the provisions of the Industrial Disputes Act. On the other hand, it is the settled principle of service jurisprudence that if a worker is appointed in any capacity to discharge some work of the bank and has substantially worked with the bank, he is entitled for the protection of the provisions of the Industrial Disputes Act, and the nature of his initial appointment has no concern with such protection.

Now question arise whether the workman has worked with the management of the bank for 12 years plus as alleged? W3 and W4 are the copies of the letters written by officer of the bank to the Deputy General Manager. W3 is an undertaking signed and executed by Shri Vijay Kumar, the workman under clause 4 (b) of the settlement, admitted to the parties. This undertaking was forwarded by the Chief Manager Shri B.K. Nagar to the Deputy General Manager for absorption of services as per memorandum of the settlement. The management has been termed these two letters as fabricated one. In para no. 9 of written statement it is contended by the management that the workman has got this letter in fabricated manner. It is further mentioned in para no. 9 of the written statement that W3 is the outcome of oversight on the part of respondent no. 3. Meaning thereby, as per para no. 9 of the written statement these two documents W3 and W4 are result of oversight of the Manager concern and cannot be termed as fabricated document. As per the pleadings of the management, these two documents came into existence and were executed and transmitted by the Chief Manager, Bank of Baroda to the Deputy General Manager for absorption of services of the workman as peon. In W3 the date of appointment of the workman is mentioned as 3-4-1996 and till the date of writing his undertaking, W3, he continued in services and as per this letter he has completed 12 years of services. W5 which is certificate issued by the management of the bank on 2-9-2000 in which it is specifically mentioned that workman Vijay Kumar was working with the bank since April, 1996. W6 is the letter written by the management of the bank to the Municipal Corporation regarding issue of passes to

its employees. The name of the workman figured at serial no. 14. I am unable to understand how the workman can fabricate this document. There is no possibility and reason to fabricate the name of the other employees. How the workman fabricate the name of 24 persons along with him for getting the passes. Moreover, the name of the workman is in middle of the letter. Thus, it is beyond imagination that he has added his name in the list fraudulently. W7, W8 and W10 are the documents which shows the nature of work entrusted by the bank to the workman. Regarding all the documents, the management has taken a plea that all are the fabricated documents. W4 also bears the forwarding no. which is BR/CHD/17/STF/2008-26, dated 24-04-2008. The witness of the management in the middle of the para no. 1 of cross-examination, has stated that W4 was not forwarded by the manager of the bank Shri V.C. Nagar. He has specifically stated that the reference number mentioned in the letter is not mentioned in the concern register of the bank. The witness has also stated that he is deposing on the basis of the records. A question was asked by this Tribunal, whether he has seen the concern register? The witness replied that he has not seen the concern register nor register lying with him in the Court. The further question was asked by this Tribunal that if he has not seen the register how he has deposed on oath that reference no. on W4 is not entered in the concern register of the bank? On this question the witness kept mum for a minute and five seconds and then he replied that it is not in his knowledge whether the reference number of the letter has been entered in the relevant register of the bank.

Letter W3 was forwarded by the bank with the endorsement of the concern branch. The endorsement of the letter is also mentioned in the register maintained by the bank. The witness on oath has tell a lie that this endorsement does not figure in the concern register. Thereafter, when some questions were asked by the Tribunal, he replied that he did not know whether such entries figure in the concern register. On all the documents, it is the behaviour of the Senior Manager of the bank. He has totally denied the existence of the documents by saying them false and fabricated. All the documents are on the letter head pad of the bank and originals of all the documents barring W5 are supposed to be in the custody of the bank. No original documents have been filed. In para no. 9 of the written statement, the management of the bank has admitted the execution of W3 and W4 but original have not been filed in spite of directions.

Order dated 10-02-2010 passed by this Tribunal make it clear how the case of the workman was handled by the bank? The management denied the documents lying with it. The bank denied that no currency register has maintained by it. Regarding peon delivery book of the bank w.e.f. April 1996 to 30-04-2008, the management of the bank informed this Tribunal in writing that peon

delivery book prior to 31-12-2004 has been destroyed as per norms. The management of the bank further informed this Tribunal that peon delivery book from July 2006 to 1-07-2008 has been filed by the management but no statement was given regarding the peon delivery book w.e.f. 1-01-2005 to June 2006. The peon delivery book for this one and half year was neither destroyed nor filed. No explanation was given why the management has not filed this peon delivery book? The bank was specifically directed to file the peon delivery book for this period but the management failed reason known to it. On, failure of the management of the bank for filing the documents, further order was passed by this Tribunal on 21-04-2010 that adverse inference according to law shall be taken against the management.

There is a socio-economic disparity between the position of the management and the workman. From the socio-economic point of the view, the workman is the member of the weakest class of the society and management is always in the position to dominate the will of the workman. It is specifically proved in this case that the management has dominated the will of the workman. W3 and W4 which are the documents of the bank specifically proved that workman has regularly worked with the management for 12 plus years. But he was denied his lawful right which accrued by the settlement of the memorandum. The certificate issued by the bank also proved that he had continuously worked with the bank. It is the contention of the workman that he was paid monthly wages and apart from the monthly wages he was also paid by some vouchers for extra work which was entrusted to him. Meaning thereby, the contention of the workman is that he was paid fixed monthly wages as temporary peon and he was also paid daily wages by the vouchers for the work entrusted to him by the management of the bank. This contention of the workman finds favour because of failure of the management to file the relevant documents. It cannot be believed that management is not maintaining the currency attendance register in the branch which is mandatory for every branch of the bank. No order of destruction of peon delivery book between July 2005 to June 2006 has been filed by the management. In spite of the specific directions given by this tribunal, the peon delivery book from July 2006 to 1-07-2008 has not been filed. The peon delivery book from July 2006 to 1-07-2008 contains the name of the workman. Almost every page contains the name of the workman which shows that work was regularly entrusted to him.

By the management no documents have been filed. The copies of the documents filed by the workman are contended to be forged and fabricated by the management which is not believable because of the contradictory statement in the cross-examination given by the witness of the management and its pleadings.

From the evidence of the management witness it is clearly established that Shri K.S. Shimar has deposed falsely on oath before this Tribunal. Entire evidence of Shri K.S. Shimar and his demeanor which is recorded by this Tribunal proved that he has deposed falsely on oath. As stated earlier under the situation of socio economic disparity between the workman and the management, whether such act of the senior officer deposing falsely on oath should be tolerated by the Tribunal? This is the example how the Nationalize Bank which is supposed to be a role model of the public appointment treats the workman who has worked continuously for more than 12 years plus with the bank by saying in garlanding words that the documents are forged and fabricated without any proof. In my view the witness of the management Shri K.S. Shimar is guilty of giving false evidence on oath before this Tribunal.

This Tribunal as per the provisions of the Industrial Disputes Act has got all the powers of civil court to deal with such situation. The Presiding Officer of the Tribunal is empowered to lodge a complaint in the Court of appropriate criminal jurisdiction for giving false evidence on oath. Irrespective of the powers conferred on this Tribunal by the provisions of the I.D. Act, 1947, for lodging a complaint against any witness for deposing falsely on oath, it is hereby made clear that proceedings of this Tribunal runs on the basis of justice, equity and good conscious. The phrase justice, equity and good conscious gives and confers powers on this Tribunal to lodge such complaint. This Tribunal is not only responsible for adjudication of cases but is accountable to the public at large and act of witness deposing falsely on oath should not be tolerated. If it is tolerated, it will amount to facilitate the witness deposing falsely on oath which will be judicial conduct against the accountability of the court owned toward the public at large.

This cannot be done prior to publication of the award. The award is affected after its due publication in official gazette of the Central Government. Thus, necessary action against the witness Sri K.S. Shimar shall be taken for deposing falsely on oath before this Tribunal after publication of the award.

Vide order dated 21-04-2001, it is specifically mentioned by this Tribunal that management has failed to file, the documents in compliance of the order dated 10-02-2004; hence, adverse inference shall be taken against the management. The nature of adverse inference shall be that it shall be presumed that from 1-01-2005 to June 2006, peon delivery book contains the name of the workman in the same manner and position as alleged by the workman. The documents filed by the workman are not fabricated but it is a false statement given by the witness of the management against the facts mentioned in para 9 of the written statement regarding W3 and W4. The copies of

the documents filed by the workman specifically proved that he continuously worked for more than 240 days in every calendar year including the proceeding year from the date of his termination and one fine morning his services were terminated without notice or without payment of one month wages in lieu of notice and without payment of retrenchment compensation. It is also contended by the management that workman has worked temporarily for petty job such as cleaning of computer table for which he was paid through vouchers and such type of work is not protected under the Industrial Disputes Act. I am unable to accept this contention of the management because Industrial Disputes Act protects certain rights of every workman who has substantially worked with the management. As stated earlier, if a workman has substantially worked with the management the nature of his initial appointment is immaterial. The workman as per his documents W3 & W4 has worked continuously for 12 years plus and the certificate W5 issued to the workman proves that he has continuously worked with the bank and has completed 240 days in every calendar year including in the preceding year from the date of his termination. If any workman has completed 240 days of work in the preceding year from the date of his termination, his services cannot be terminated without procedure established by law. The Industrial Disputes Act does not bar the termination. This Act regulates the termination. The termination is regulated in the sense that if the services of any workman are no more required, the same can be terminated by giving one month notice or one month wages in lieu notice and by payment of retrenchment compensation. If it is not done, the termination will be illegal and void ab initio. Accordingly, the termination of the workman was illegal and void ab initio. He is entitled for the reinstatement into the services along with back wages.

Now the question arises whether the workman is also entitled for the benefit of the memorandum of settlement. As stated earlier, the execution of the memorandum of settlement is admitted to the parties. The dispute is whether the workman is entitled for the benefit of the terms and conditions of the settlement? The conditions for absorption are mentioned in the settlement. The workman qualifies as per clause of the settlement Para 2 of the terms and conditions contains Phase-III for absorption of the services of every workman working as casual/temporary or as sweeper. Phase III reads as under :—

“Casual/temporary Peons/Sweepers who have worked for 240 days or more in consecutive-12-months between 1-03-1996 and 28-07-2007 and are still working will be absorbed in Phase-III during the financial year 2009-10.

3. Absorption of casual/temporary Peons/Sweepers will be in phases, as above, and will be subject to the following conditions :

- (a) The casual/temporary Peon/Sweepers should fulfil the eligibility criteria viz. age and qualification as on the first date of engagement in the Bank.
- (b) Found medically fit for recruitment in Bank's service
- (c) Absorption shall be with prospective effect i.e. from the date mentioned in the letter of absorption to be issued by the Competent Authority.
- (d) Such casual/temporary Peons/Sweepers will be absorbed in their respective wage scale and on their absorption shall be fitted in the first stage of full-time/part-time scale wages, as the case may be, viz. casual/temporary persons working as 1/3rd, 1/2, 3/4th, and Full-time Sweepers, shall be absorbed as 1/3rd, 1/2, 3/4th, and Full-time Sweepers, respectively. However, the casual/temporary persons who are presently being engaged as peon but had earlier worked as full-time/Part-time Sweepers will be absorbed as "Sweeper-cum-Peon" as per requirement and at the sole discretion of the Bank.
- (e) No arrears of wages/salary, seniority or any other benefit shall accrue to such casual persons on their absorption and such casual/temporary person shall not claim any such benefits for their past service/engagement with the Bank as casual/temporary person.
- (f) Deployment/placement of such casual/temporary Peons/Sweepers on their absorption in Bank's service shall be at the sole discretion of the Management depending upon its requirement, within the State. However, Bank will endeavor to keep such displacement to the minimum as per requirement.
- (g) Seniority of such casual/temporary Peons/Sweepers, on absorption, shall be reckoned in their respective cadre/scale wage from the date of their absorption in Bank's service.
- (h) Absorption is subject to their good conduct and verification of their antecedents.
- (i) The concerned casual/temporary persons and/or concerned employees' Organizations/Unions/Association shall withdraw all cases pending, before the Conciliation Officer/Labour Court/Central Government Industrial Tribunal/High Court/Supreme Court or any other judicial authority.

Meaning thereby, if any, workman has worked in between 1-03-1996 to 2-07-2007 and were still working they were entitled for absorption into the services. It is the contention of the management that on 28-07-2007 workman was not working with the bank, so he is not entitled for any benefit of this memorandum of settlement. But the documents and the evidence adduced by the workman proved that on 28-07-2007 the workman was working with the bank. Moreover, his services were, thereafter, terminated illegally and for the purpose of this settlement, the workman shall be considered to be in services as his termination has been declared to be illegal and void ab initio by this Tribunal.

Government of India has recently adopted a litigation policy. The litigation policy has been adopted by the Ministry of Law and Justice, Government of India. As per the policy, every government department is barred for taking false and fabricated pleas. It is also mentioned in the policy that government department shall not resort to the litigation just for litigating. As mentioned in the body of the award, it is clearly established that the management has violated all the terms of the litigation policy. Not only the technical objections were raised but false and fabricated pleadings were filed. The management has not restrained by doing so but false evidence on oath was also adduced before this Tribunal. There may be a plea that at the time when the pleadings were filed the litigation policy of the Central Government was not in existence. In my view, it makes no difference. Suppose there was no litigation policy, it does not give any right to the management to raise the fabricated pleadings. Fabricated pleadings means fraud with the judicial proceedings. Moreover, the day witness was cross-examined this policy was in existence. It is the appropriate case to inform Hon'ble the Ministry of Law and Justice, how the Central Government Litigation Policy was dealt with by the Government Bank. Accordingly, a copy of this award be send to Hon'ble Ministry of Law and Justice for his kind information how the Government policy is being taken by the government department. The intention of sending the letter to Hon'ble Minister of Law and Justice is to suggest that Central Government Industrial Policy should be backed by legislative sanction with punitive clause for its effective implementation.

On the basis of the above observation, I am answering this reference as follows :—

- (1) That the services of the workman were illegally terminated by the management of Bank of Baroda. His termination was illegal and void ab initio. He is entitled for the reinstatement into the services with all the consequential benefits. The management is directed to

reinstate the services of the workman along with the consequential benefits within one month from the date of publication of this award.

- (2) The workman is also entitled for absorption into the services vide terms and conditions of the settlement admitted to the parties. It is hereby once again made clear that the execution of the memorandum of settlement is admitted to the parties. The only dispute was whether the workman was entitled for the benefits or the settlement. For the reasons mentioned in the body of the award, it is made clear that workman is entitled for the absorption of his services as peon as per the terms and conditions of the memorandum. Accordingly, the management of the respondent bank is also directed to consider and absorb the workman into the services vide application W4 & W5 within one month from the date of publication of this award. The absorption shall be effective from the date succeeding one month, W4 was executed.
- (3) For the reasons mentioned in the body of the award, the witness of the management Shri K.S. Shimar is guilty of adducing false evidence on oath before this Tribunal. Appropriate action according to law shall be taken against this witness after publication of the award regarding lodging criminal complaint before the Criminal Court of Competent jurisdiction for giving false evidence on oath before this Tribunal.
- (4) Copy of this award after its publication be send to Hon'ble Minister of Law and Justice for his kind information how the Central Government Policy was dealt with by a Government Bank, to the strature of Bank of Baroda? It is further to suggest that Central Government Litigation Policy must have the legislative sanction behind it along with punitive clause for its effective implementation. It will also create mediation/conciliation culture in the Courts.

The reference is accordingly answered. Let Central Government be approached for publication of award, and thereafter, file be placed before this Tribunal for necessary orders.

Chandigarh

Dated: 25-11-10

G. K. SHARMA, Presiding Officer

नई दिल्ली, 10 दिसम्बर, 2010

का.आ. 110.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सिंडिकेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, बंगलौर के पंचाट (संदर्भ संख्या 15/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09-12-2010 को प्राप्त हुआ था।

[सं. एल-12012/202/2004-आईआर(बी-II)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 10th December, 2010

S.O. 110.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No 15/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Bangalore as shown in the Annexure in the industrial dispute between the employers in relation to the management of Syndicate Bank and their workman, which was received by the Central Government on 09-12-2010.

[No. L-12012/202/2004-IR (B-II)]

RAMESH SINGH, Desk Officer

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT BANGALORE**

Dated : 18th November 2010

PRESENT

Shri S. N. Navalgund,

Presiding Officer

C. R. No. 15/2005

I Party

Shri Narayana Swamy
Re. by Shri M. Ramarao,
General Secretary, Dharwad Dt.
Bank Employees Association,
HUBLI-580020

II Party

The Chairman,
Syndicate Bank,
Head Office,
Manipal
Karnataka State

AWARD

The Central Government in exercise of the powers conferred by clause (d) of sub section (1) and sub section 2A of Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide order No. L-12012/202/2004-IR

(B-II) dated 4th February, 2005 for adjudication on the following schedule :—

SCHEDULE

“Whether the action of the management of Syndicate Bank is justified in dismissing the services of Shri L. Narayana Swamy ? If not, to what relief the workman is entitled ?”

2. While the first party was working as Clerk at Hulkoti Branch of the Second Party bank through order dated 23-09-1997 issued by the Assistant General Manager was kept under suspension on the allegations that on 19-09-1997 after lunch time he started arguing with Smt. Jayashree H. Mudalgi, Asstt. Manager who was incharge of the Hulkoti Branch in the matter of charging commission on a DD issued to one of the customer of the branch and abused her in Kannada language and hit her on the head with SB ledger/binder at about 3.15 P.M. causing her to go into a state of semiconscious within the premises of the bank and thereby he resorted to riotous and disorderly behaviour. Thereafter the management getting the matter investigated through Shri S. G. Jagjeevandas, MW6 then working in zonal office, Bangalore issued charge sheet dated 02-02-1998 alleging that on 19-09-1997 while he was working in S. B. department of the Hulkoti branch and Smt. Jayashree H. Mudalgi, Asst. Manager was in charge of the branch after lunch time after she issued DD in favour of the customer, Shri P. Srikanth Reddy, a student from Rural Engineering College, Hulkoti on his behalf he approached her arguing for the commission charged on the DD saying that when there is shortage of cash in the branch, the DD has to be issued without commission and when she did not agree and stated if at all he want to discuss more about in that regard to come to her after office hours at 5 P.M. but he insisted to discuss then and there only and when she did not agree he abused her in Kannada→(Kannada Matter) and taking an SB Binder lying on her table assaulted on her head as a result of which she went to a state of semi-consciousness and it is unbecoming of a workman in the institution. The Management unsatisfied with the reply given by the first party dated 29-04-1998, by order dated 01-06-1998 appointed Shri K.V. Shenoy, Officer, Divisional Office, Belgaum as Enquiry Officer to hold enquiry in the charge sheet, then the said enquiry officer causing notice to the management and the first party commenced the enquiry on 16-7-1998 at Divisional Office, Hubli and then at the instance of first party workman continued in Hulkoti branch office and concluded on 17-12-1998 and submitted the impugned enquiry report holding the first party guilty of the charges leveled against him. During the course of enquiry on behalf of the management recorded the evidence of 10 witnesses inclusive of Smt. Jayashree H. Mudalgi, complainant, some of the customers and the Doctor immediately examining the complainant and exhibited 18 documents, the details of which are narrated in the annexure

enclosed. Inter alia the first party besides examining himself examined one witness by name Shri Ghouse and got marked xerox copy of the medical certificate issued by Eye Specialist/General Hospital, Hulkoti pertaining to the complainant dated 03-10-1997, the affidavit taken by him from Shri P. Srikanth Reddy, the customer of the bank dated 28-7-1998 to the effect that the charges leveled against him are false at Ex. DEX. 1 and 2 respectively. The details of which are also narrated in the annexure to the award. The enquiry officer after recording the evidence of both sides concluding the proceedings before submitting his report dated 07-5-1999 gave opportunity to both sides to submit their written briefs to that the management representative submitted written brief on 07-01-1999 whereas the first party who in the first instance wrote a letter dated 30-1-1999 requesting to provide 20 days time to submit the written brief and the enquiry officer after waiting for his written brief till 07-05-1999 considering the evidence adduced by the management as well as the first party submitted his enquiry report on 07-05-1999. Then the Second Party while sending the copy of the enquiry report called for explanation from the first party and on receipt of his reply dated 20-05-1999, the management unsatisfied of the same by letter dated 04-6-1999 informed the first party that his explanations are not acceptable and issued another show cause notice proposing the punishment of dismissal. Then after giving personal hearing to the first party who appeared on 22-06-1999 the impugned punishment of dismissal was imposed vide proceedings dated 26-06-1999 and the same was served to the first party on 08-07-1999. Subsequently in the year 2004 the first party initiated conciliation proceedings before the ALC(C) and on its failure report the Central Govt. vide order No. L-12012/202/2004-IR (B-II) dated 04-02-2005 made this reference for adjudication.

3. Pursuant to the notice issued by this tribunal the first party appeared through Shri M. Ramarao, General Secretary, Dharwad District Bank Employees Association, Hubli whereas the second party through its counsel, Shri Ramesh Upadhyaya and submitted their claim statement and counter statement respectively. The first party in his Claim Statement narrating the facts from the date of his suspension till the impugned punishment order contending that the attitude on the part of the management was unfair and he was not provided with fair and proper opportunity in the enquiry also contended the findings of the enquiry officer being perverse, arbitrary and not based on the evidence brought before him and it is one sided favouring the management. Inter alia in the counter statement filed by the second party; the action taken against the first party has been justified as proper and reasonable and it also supported the enquiry findings and requested for rejection of the reference.

4. With regard to the contention of the first party that he has not given fair and proper opportunity, my learned Predecessor while framing the Preliminary issue "whether

the Domestic Enquiry conducted against the first party by the second party is fair and proper" after receiving the evidence of enquiry officer for the management and the first party after hearing the representatives of the both sides by order dated 5th May 2008 answered the preliminary issue in favour of the management holding that the enquiry conducted was fair and proper. Thereafter, both sides were called upon to address their arguments. The representative representing the first party besides addressing his arguments also furnished the note of his arguments and the counsel appearing for the second party also addressed his arguments.

5. In view of the finding of this tribunal, the DE conducted by the second party against the first party as fair and proper, the questions now remain for consideration are -

1. Whether the finding of the enquiry officer in the affirmative of the charges against the CSE/first party is arbitrary and perverse ?

2. If not, whether the punishment of dismissal imposed by the management is disproportionate ?

6. On appreciation of the charges leveled against the first party, the evidence brought on record by both the sides and the report of the enquiry officer in the light of the arguments put forward on behalf of both the sides my finding on point Nos. 1&2 are in the 'negative' for the following reasons :

Reasons :

There is no dispute as on 19-09-1997 the first party was working as Clerk at Hulkoti branch of the second party bank and at that time Smt. Jayashree Mudalgi, the Assistant Manager was incharge of the branch and on that day at about 3.15 p.m an incident occurred between both of them in connection with charging of commission on the DD issued in favour of a college student, P. Srikanth Reddy. It is contended by the first party that since it was a practice of the bank not to charge commission when there used to be shortage of cash in branch and as on that day there was shortage of cash in the branch and commission was charged on the DD issued in favour of Shri P. Srikanth Reddy on his behalf he went to plead with incharge branch manager and at that time she hit herself over her head with the SB binder creating a scene and using her influence managed to keep him under suspension and to initiate Domestic Enquiry. At the outset it may be said when the first party was serving as Clerk in the Hulkoti branch at the most he could have asked on behalf of a customer as to why commission has been charged on his DD but he has no authority or right to question the propriety of charging the commission by the manager and if at all it was against the practice of the bank he could have brought it to the notice of the superiors and could not have indulged in quarrel of the nature alleged. The complainant

Smt. Jayashree Mudalgi examined as MW 1 in the enquiry has deposed to the allegations made by her against the first party and in her cross-examination by the representative of the first party nothing has been elicited to discredit her testimony. her evidence has also been substantially corroborated by some of the customers and the staff members said to be present at the time of alleged incident examined as MWs 2, 4, 5, 7, 8, 9 & 10 and nothing has been elicited in their cross-examination to say that they have any reason/motive to favour the incharge branch manager or to depose against the first party workman. The evidence of the doctor examined as MW3, Dr. S.S. Kulkarni corroborates the allegation made against the first party assaulting the incharge branch manager with the hard object like ledger file, as such the allegations against him that he behaved riotously with the incharge branch manager in connection with charging commission on the DD issued in favour of Shri P. Srikanth Reddy and also assaulted her with the LB file on the head has all the force. In the cross-examination of Shri P. Srikanth Reddy/MW7 that he sworn to an affidavit as per DEX-2 wherein it was incorporated the charges made against the first party are false, when confronted to Shri P. Srikanth Reddy, he admitted his signature appearing on the affidavit and came out with the explanation that the first party giving him an understanding that the matter has been settled /compromised he may give this type of affidavit and taken his signature, but the incident as appearing in the charge sheet did occur on the alleged date i.e. 19-09-1997. Therefore, absolutely I find no reason to say the finding of the enquiry officer either being arbitrary or perverse and I am of the opinion that the finding is proper based on the evidence placed before him by both the sides.

7. In view of my finding that the finding of the enquiry officer cannot be said to be either arbitrary or perverse and moreover the fact stated in the counter statement that on a separate complaint filed by Smt. Jayashree Mudalgi to the police in connection with this very incident, the police had filed charge sheet in CC.No. 848/97 on the file of II Addl. Civil Judge and JMFC II Court, Gadag and by judgement of that court dated 10-11-2000 he has been found guilty of the offence punishable under section 324 of IPC and acquitted for the offences punishable under section 504, 506 & 509 of IPC being not denied, he having been also held guilty by the criminal court of assaulting the incharge manager of the branch on the date of incident, he/first party has no chance to escape from the charge leveled against him. The Criminal court for technical reasons might have held the attributes by the accused/first party to the branch manager as do not constitute the offence made punishable under section 504, 506 and 509 of IPC, but for the purpose of DE such attributes to a superior is enough.

8. The point that now remains for my consideration is whether the capital punishment of dismissal imposed by

the management is disproportionate to the charges proved against the first party. A subordinate i.e. a Clerk while questioning the superior i.e. incharge branch manager about the propriety of the charging commission on a DD issued to a student customer of the bank indulging in act of abusing and assaulting her is of grave consequence and cannot be viewed leniently only because he is said to have come from Schedule Caste. Such an act on the part of the subordinate creating commotion in the bank premises on the official matter and going to the extent of assaulting the superior is a major misconduct and for such act of misconduct the punishment lesser than the dismissal is not justified. In other words in such cases of grave misconduct the capital punishment of dismissal in my view is proper and proportionate. Thus I have arrived at the conclusion of answering the points 1&2 in the 'negative' and pass the following award :

AWARD

The action of the management of Syndicate Bank in dismissing the services of Shri L. Narayana Swamy/first party is justified and the first party is not entitle for any relief.

(Dictated to PA transcribed by her corrected and signed by me on 18-11-2010)

S. N. NAVALGUND, Presiding Officer

ANNEXURE

List of witnesses examined by the management before the Enquiry Officer

- | | | |
|-----|---|------|
| 1. | Smt. Jayashree H Mudalgi, Officer
Hulkoti branch | MW1 |
| 2. | Shri M. A Nadaf, Clerk presently
working at Hubli branch | MW2 |
| 3. | Dr. S. S. Kulkarni of Sri Vinayak
Acupuncutre clinic | MW3 |
| 4. | Shri Vasudeva S Hanganakatti,
Customer | MW4 |
| 5. | Shri S. C. Hiremath, Customer | MW5 |
| 6. | Shri S. G. J Das, Officer | MW6 |
| 7. | Shri P. Srikanth Reddy, Student | MW7 |
| 8. | Smt. Susheela Koppad, Clerk | MW8 |
| 9. | Shri U. B. Shet Spl. Assistant. | MW9 |
| 10. | Shri R. D. Savanur, RDO, Hulkoti
branch | MW10 |

Documents exhibited for the Management before the Enquiry Officer

- | | | |
|----|--|-------|
| 1. | Certified photo copy of the
attendance register | MEX-1 |
|----|--|-------|

2.	Certified photo copy of the officer order book	MEX-2
3.	Ledger extract	MEX-3
4.	Certified photo copy of the withdrawal slip	MEX-4
5.	DD Slip	MEX-5
6.	Withdrawal Slip	MEX-6
7.	Withdrawal Slip for Rs. 5000	MEX-7
8.	Cash Scroll Sheet	MEX-8
9.	Medical Certificate	MEX-9
10.	FIR	MEX-10
11.	Oral statement of Sh. M. A. Nadaf	MEX-11
12.	Oral statement of Sh. Vasudev	MEX-12
13.	Oral statement of S. C. Hiremath	MEX-13
14.	Oral statement of Sh. Venkana Gowdar	MEX-14
15.	Oral statement of Shri U. B. Shet	MEX-15
16.	Oral statement of Smt. Susheela Koppad	MEX-16
17.	Oral statement of R. D. Savanur	MEX-17
18.	Oral statement of Shri P Srikanth Reddy, student	MEX-18

**List of witnesses examined by the first party
before the Enquiry Officer**

1.	Shri Ghouse Halbanni	DW-1
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**List of Documents of 1st party marked in the
Enquiry**

1.	Photo copy of medical certificate pertaining to Smt. Jayashree H. Mudalgi	DEX-1
2.	Affidavit of Shri P. Srikanth Reddy dated 28-07-1998	DEX-2

नई दिल्ली, 10 दिसम्बर, 2010

का.आ. 111.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मुम्बई पोर्ट ट्रस्ट के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-2, मुम्बई के पंचाट पार्ट-II (संदर्भ संख्या सीजीआईटी 2/52/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09-12-2010 को प्राप्त हुआ था।

[सं. एल-31011/9/2003-आईआर(बी-II)]
रमेश सिंह, डेस्क अधिकारी

New Delhi, the 10th December, 2010

S.O. 111.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award Part-II (Ref. No. CGIT- 2/52/2003) of the Central Government Industrial Tribunal-cum-Labour Court -2, Mumbai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Mumbai Port Trust and their workmen, which was received by the Central Government on 09-12-2010.

[No. L-31011/9/2003-IR (B-II)]

RAMESH SINGH, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 2, MUMBAI**

PRESENT

SHRI K. B. KATAKE, Presiding Officer.

Reference No. CGIT-2/ 52 of 2003

**Employers in relation to the Management of Mumbai
Port trust**

The Chairman,
Mumbai Port Trust,
Port Bhavan, Ballard Estate,
Mumbai-400 038.

And

Their Workmen

The President,
Transport and Dock Workers Union,
P.D'mello Bhavan,
Carnac Bunder,
Mumbai.

Appearances :

For the employer : Mr. Umesh Nabar, Advocate.

For the Workmen : Mr. A. M. Koyande, Advocate.

Mumbai, dated 1st November, 2010

AWARD PART-II

The Government of India, Ministry of Labour, by its order No. L-31011/9/2003-IR (B-II) dated 11-09-2003 in exercise of the powers conferred by clause (d) of Sub-Section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act 1947 have referred the following dispute to this Tribunal for adjudication :-

SCHEDULE

“Whether the action of the management of Mumbai Port Trust in removing from service of Shri Pandharinath Lokande, Shore Worker, Docks

Department, MBPT w.e.f. 9-5-2001 is legal and justified ? If not, what relief Shri Pandharinath Lokande is entitled to ?”

2. Claim Statement is filed at Ex-11 by the Secretary, Transport and Dock Workers Union stating that the services of the concerned workman was terminated illegally w.e.f. 9-5-2001. The said order was challenged before competent authority. However, the competent authority did not accept the claim of the workman who was removed from employment. The union has raised the dispute regarding the concerned workman's termination alleging that the chargesheet dt. 28-08-2000 served on the concerned workman alleging of habitual absenteeism was false one.

3. It was alleged by and on behalf of the management that the workman concerned remained absent unauthorisedly from 20-05-1998 to 31-12-1998 and thereafter continued to remain absent from 08-01-1999 to 28-08-2000. It was alleged that he violated regulation 3(1A) (ii) and BPT Employees (Conduct) Regulations 1976, read with Regulation 8 & 12 of BPT Employees (Classification, Control & Appeal) Regulation 1976. According to the union, concerned workman was already penalized for the period for 1994 to 1998. He also applied for regularization of his absence. Accordingly same was regularized. The workman has justified his absence from 8-1-99 to 12-10-2000 as he was mentally disturbed. He was admitted in a hospital at Pune and was under treatment. He gave explanation to that effect. In spite of that show cause notice was issued by the first party and after inquiry, proposed the penalty of removal from the services. In spite of due reply, the said action was confirmed. The appeal filed there against was also turned down.

4. According to the union, there were sufficient grounds before the Inquiry Officer to regularize the absenteeism of the workman, however the same were not considered. According to them very harsh and disproportionate punishment of removal was imposed against the workman, therefore, it is prayed that the finding of Inquiry Officer be declared perverse and punishment of removal be set aside with direction to the first party to reinstate the concerned workman.

5. The First party resisted the claim statement vide their written statement Ex-15. According to it, the second party i.e. the concerned workman was habitual in remaining absent from duty. On number of occasions he remained absent without even informing the concerned officer. His service record was not clean. He received number of warnings. However did not show any improvement. He also did not utilize the opportunity to explain his absenteeism to justify the same. Therefore, first party held inquiry. The Inquiry Officer held him guilty and also observed that the workman was not interested in work. According to them the action taken by the first party, is just and proper.

6. My Learned Predecessor framed the issue in respect of perversity of findings of Inquiry Officer. He passed Award Part-I and held that the findings of Inquiry Officer are not perverse. He has also directed both the parties to appear in this reference on the point of quantum of punishment.

7. According to the Union, the punishment awarded to the employee of termination from the service is disproportionate. According to them, the period of absence can be regularized by treating it leave without pay. According to the Union, some lesser punishment would have served the purpose and it was not necessary to award the extreme punishment of termination of the service of workman.

8. As against this, it is case of the first party that, the workman was habitual in remaining absent. On earlier occasions his absence were regularized. However, the relevant period of absence is more than one and half year continuous absence. There is no justification for the said absence. Therefore according to first party, the punishment of termination of services is quite just and proper.

9. Following are the points for my determination. I record my findings thereon for the reasons to follow :

Points	Findings
1. Whether the punishment of termination of service is disproportionate ?	No.
2. Whether any lesser punishment can be awarded to the workman concerned ?	No.
3. What order ?	As per final order.

REASONS

Point Nos. 1 & 2

10. In the case at hand, the workman was held absent for the period from 8-1-1999 to 12-10-2000. It is held in award part I that, the finding of the Inquiry Officer in respect of charge of absenteeism is just and proper. Now the only question before me in this part II is whether the punishment of termination of service of the workman is disproportionate as has been alleged by the Union.

11. The Learned advocate for the Union on the point submitted that first party could have imposed some lesser punishment. They have imposed the extreme punishment of termination of services of the workman. In support of his argument the Ld. Advocate for the union resorted to the Apex Court ruling in Tata Engineering and Locomotive Co. Ltd. V/s. Jeetendra P.D. Singh and Anr. 2000 III CLR 853 wherein the Hon'ble Apex Court set aside the punishment of the respondent therein who was dismissed from service. However in that case Hon'ble Apex

Court has not set aside the punishment of dismissal on the ground that the said punishment was disproportionate. On the other hand in that case the workman therein was dismissed from service for misconduct as he was involved in drunkenness and indecent behavior. In that case two others were also involved in the same incident. They were given lighter punishment. In the circumstances, Hon'ble Court observed that

“two others who were involved in the same incident were given lighter punishments, dismissal of the respondent would amount to denial of justice and as would mean he was singled out As such High Court Order is not interfered with in this appeal

12. The facts of the above cited case are all together different than the facts of the case at hand. On the other hand in the case at hand, workman is dismissed from the service for his habitual absenteeism. In this respect the learned advocate for the first party management resorted to Apex Court ruling in State of Rajasthan and Anr V/s Mohammed Ayub Naz 2006 I CLR 401 wherein workman was dismissed from service for unauthorized absence. In Writ Petition before High Court the Hon'ble Judge took lenient view and reduced the sentence to compulsory retirement with consequential retiral benefits. The Division Bench upheld the view of Single Judge. In appeal the Hon'ble Supreme Court observed that

“Considering totality of circumstances, read with admissions of his unauthorized absence for 3 years, removal from service was not disproportionate.”

With this observation the Hon'ble Apex Court set aside the judgment of High Court and restored the order of removal from service.

13. The Learned Advocate also referred to another Apex Court ruling in L & T Komatsu Ltd. V/s N. Udayakumar 2008 I CLR 978 wherein the Hon'ble Apex Court held that, it is well established that habitual absenteeism is gross violation of discipline. In the circumstances Hon'ble Court held that the Labour Court and High Court were not justified in directing the reinstatement of the employee who was terminated by the authority concerned, for habitual absenteeism.

14. The Ld. advocate also resorted to judgements of Hon'ble Bombay High Court in NRC Ltd. V/s. NRC Employees Union 2001 III CLR wherein the Hon'ble Court has referred the Apex Court ruling and held that the Labour Court was not judicious and proper and erred in interfering the punishment of dismissal of workman for habitual absenteeism.

15. In the light of the ratio laid down in the above rulings, it is clear that Hon'ble Apex Court treated absenteeism as one of the serious misconducts, for which no lesser punishment than termination can be awarded.

Thus I come to the conclusion that the punishment of termination of service of the workman, by the Party No. 1 for habitual absenteeism is just and proper. It can not be called disproportionate. Accordingly I decide issues nos. 1 & 2 in the negative. Thus the order :

ORDER

Action of the management of Mumbai Port trust in terminating the services of Shri Pandharinath Lokande is just, proper and legal.

Date: 01-11-2010

K. B. KATAKE, Presiding Officer

नई दिल्ली, 10 दिसम्बर, 2010

का.आ. 112.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार विजया बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-1, मुम्बई के पंचाट (संदर्भ संख्या 15/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09-12-2010 को प्राप्त हुआ था।

[सं. एल-12011/1/2006-आईआर(बी-2)]
रमेश सिंह, डेस्क अधिकारी

New Delhi, the 10th December, 2010

S.O. 112.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No 15/2006) of the Central Government Industrial Tribunal-cum-Labour Court -I, Mumbai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Vijaya Bank and their workmen, which was received by the Central Government on 09-12-2010.

[No. L-12011/1/2006-IR (B-II)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I MUMBAI

PRESENT

Justice G. S. Sarraf, Presiding Officer.

Reference No. CGIT-1/15 of 2006

Parties : Employers in relation to the Management of
Vijaya Bank

And

Their Workmen

APPEARANCES:

For the Management : Shri R. S. Pai, Adv.

For the Union : Absent.

State: Maharashtra

Mumbai, dated the 19th day of November, 2010

AWARD

1. This is a reference made by the Central Government in exercise of its powers under clause (d) of Sub Section (1) of section 10 of the Industrial Disputes Act 1947 vide Government of India, Ministry of Labour, New Delhi Order No. L-12011/1/2006-IR (B-II) dated 14-06-2006. The terms of reference given in the schedule are as follows :—

“ Whether the demand of S/Shri Sanjay Sakham Tambe, Vijay Sakham Kotle, Ravindra Tukaram Bogwalkar, Jayadrath Kudtarkar, Prakash Baliram Talekar, Sukumar Vishwanath Mane, Ranganath Ayare, Suresh Vasudeo Shinde, Suresh Sitaram Sawant, S.H. Devkar, Namdeo B. Koli, Mamkrishna Sahadev Shinde is justified and proper for permanent absorption in the services of Vijaya Bank as Peon? If so, what are the relief the workmen are entitled to ?”

2. Notice issued as per the order dt. 01-10-2010 has been served upon the Union. However, neither the workmen nor any representative of the Union are present.

3. There is an application dt. 03-7-2008 filed by the workmen wherein they have made a request to withdraw from the dispute as they have been appointed peons in the Bank.

4. Learned counsel for the Management also states that the workmen have been appointed as peons in the Bank.

5. The workmen are, therefore, allowed to withdraw from the case.

6. The case stands disposed of as withdrawn.

7. An Award is made accordingly.

JUSTICE G. S. SARRAF, Presiding Officer

नई दिल्ली, 10 दिसम्बर, 2010

का.आ. 113.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यूको बैंक के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कोलकता के पंचाट (संदर्भ संख्या 13/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09-12-2010 को प्राप्त हुआ था।

[सं. एल-12011/113/2006-आईआर(बी-II)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 10th December, 2010

S.O. 113.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No 13/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Kolkata now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of UCO Bank and their workmen, which was received by the Central Government on 09-12-2010.

[No. L-12011/113/2006-IR (B-II)]

RAMESH SINGH, Desk Officer

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT KOLKATA**

Reference No. 13 of 2007

**Parties : Employers in relation to the Management of
UCO Bank****And****Their Workmen****Present : Mr. Justice Manik Mohan Sarkar, Presiding
Officer.****Appearances :**

On behalf of the Management : None

On behalf of the Workmen : None

State: West Bengal.**Industry : Banking.**

Dated : 30th November, 2010

AWARD

By Order. No. L-12011/113/2006-IR (B-II) dated 1-05-2007 the Government India, Ministry of Labour in exercise of its powers under Section 10 (1) (d) and (2A) of the Industrial Disputes Act 1947 referred the following dispute to this Tribunal for adjudication :

“ Whether the action of the management of UCO Bank by not regularizing Shri Gopal Dey, Part-time Sweeper who claimed to have been working for more than 16 years continuously in UCO Bank is justified ? If not, what relief the concerned workman is entitled to ?”

On call today, none appears for either of the parties. On scrutiny of the order sheet of this reference, it is revealed that the matter is pending for filing rejoinder by the workmen union since 16-06-2008. But, neither the rejoinder has been filed nor any one was present on behalf

of the workmen on all the dates from 16-06-2008 till today. The workmen union did not appear on 10 occasions among the 11 dates fixed for the same, excepting on one occasion on 12-02-2009. Inspection of the records shows that fresh notice was issued to both the parties on 28-06-2010 after notification of my appointment and the notice upon the workmen union is found to have been served on 08-07-2010 in view of the acknowledgment card received back from it with due endorsement of receipt. The conduct of the workmen union shows that it is reluctant from appearing in the present reference, though the reference has been initiated on the claim by the workmen union.

So, it is presumed that no 'industrial dispute' is prevailing at present in the present reference and I find no reason to proceed with the same any more. The present reference is thus disposed of treating non-existence of any 'industrial dispute'

An Award is passed accordingly.

Dated, Kolkata,
30th November, 2010

JUSTICE MANIK MOHAN SARKAR, Presiding Officer

नई दिल्ली, 10 दिसम्बर, 2010

का.आ. 114.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं मालवीय नेशनल इन्स्टीट्यूट ऑफ टेक्नोलोजी के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जयपुर के पंचाट (संदर्भ संख्या 78/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-2010 को प्राप्त हुआ था।

[सं. एल-42012/118/2005-आईआर(सीएम-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 10th December, 2010

S.O. 114.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No 78/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Jaipur as shown in the Annexure in the Industrial Dispute between the management of Malviya National Institute of Technology, and their workmen, which was received by the Central Government on 10-12-2010.

[No. L-42012/118/2005-IR (CM-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, JAIPUR

PRESENT: Shri N. K. Purohit, Presiding Officer

I. D. No. 78 of 2006

Reference No. L-42012/118/2005-IR (CM-II)

dated : 30-6-2006

Shri Rakesh Bhatnagar

S/o Shri Daya Saroop

R/o 453, Bhopji Nathawat Ka Chowk,

Bandi Ka Nasik, Subash Chowk,

Jaipur

V/s

The Director

Malviya National Institute of Technology

Jawaharlal Nehru Marg, Malviya Nagar,

Jaipur.

AWARD

DATED: 29-11-2010

The Central Government in exercise of the powers conferred under clause (d) of Sub Section (1) and 2(A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following industrial dispute to this Tribunal for adjudication which runs as under :—

"Whether the action of the management of Malaviya National Institute of Technology in terminating the services of Shri Rakesh Kumar Bhatnagar w.e.f. 5-5-2000 is legal and justified? If not, to what relief the workman is entitled?"

2. Pursuant to the receipt of reference order, the registered notices were issued to both the parties. On perusal of the proceedings of the case it appears that workman was present on 15-10-2009, 24-11-2009, 12-1-2010 & 25-3-2010, but he did not appear during subsequent proceedings from 29-4-2010 to 13-9-2010.

3. It also appears that on 7-6-2010 representative on behalf of the management side was present but none was present on behalf of the workman. Therefore, registered notices were again issued to the workman and registered notice issued for appearing on 8-10-2010 has been served on the workman. The acknowledgement receipt on the same is on the record. Despite service of registered notice none appeared on behalf of the workman on 8-10-2010 nor any claim was filed. Therefore, ex-parte proceeding were drawn against the workman.

4. Since the workman has neither appeared nor filed any claim, therefore, there is no material on record to adjudicate the reference on its merit. Under such circumstances "No Claim Award" is passed in this matter. The reference under adjudication is answered accordingly.

5. Award as above.

N. K. PUROHIT, Presiding Officer

नई दिल्ली, 10 दिसम्बर, 2010

का.आ.115.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मध्य रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या 31/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-12-2010 को प्राप्त हुआ था।

[सं एल-12012/91/92-आईआर(बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 10th December, 2010

S.O. 115.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 31/98) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Railway and their workman, received by the Central Government on 9-12-2010.

[No. L-12012/91/92-IR (B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/31/98

Presiding Officer : SHRI MOHD. SHAKIR HASAN

Shri Balram Mishra,
S/o Shri Ram Pratap Mishra,
Village - Koniya, PO,
Bargarh, Tehsil Mauganj,
Distt. Banda (UP)

... Workman/Union

Versus

Divisional Railway Manager,
Central Railway,
Jabalpur

... Management

AWARD

Passed on this 23rd day of November, 2010

1. The Government of India, Ministry of Labour vide its Notification No. L -12012/91/92-IR (B-I) dated 20-2-90 has referred the following dispute for adjudication by this tribunal:—

“Whether the action of the management of Divisional Railway Manager, Central Railway Jabalpur in terminating the services of Shri Balram Mishra is legal and justified? If not, to what relief the workman is entitled?”

2. The case of the workman, in short, is that the workman was casual worker and worked under PWI (R),

Bhopal in Jhansi Division. His service card was issued bearing No. 136113. He also worked for five months under PWI, Shankargarh. Again he worked as casual labour from 3-11-1985 to 18-3-1986 under PWI (R) Satna. Thereafter his service was terminated without notice and without any chargesheet. His service card was taken away. A letter was given to him which shows that the service card of the workman was with the management. He had worked more than 240 days and no retrenchment compensation was paid. The status of the workman is of temporary employee as per Railway established Manual and his service cannot be terminated without following the procedure. It is submitted that the workman be reinstated with back wages.

3. The non-applicant/management appeared and filed Written Statement. The case of the management, inter alia is that the applicant/workman worked under PWI (M) SRJ with effect from 2-8-85 to 19-9-85 i.e. 48 days only. His service card was not genuine. He did not complete 5 months i.e. more than 120 days continuously under PWI, SRJ and therefore he was not entitled for monthly Rated Casual Labour Status. Again he worked 51 days from 30-11-85 to 19-1-86 under PWI (R) Satna. Thereafter he absented himself and never approached for further engagement. On the above grounds, the applicant/workman is not entitled to any relief.

4. On the pleadings of both the parties, the following issues are framed-

I. Whether the action of the management in terminating the service of Shri Balram Mishra is legal and justified?

II. What relief the workman is entitled to?

5. Issue No. I

On the pleading of the workman, it is clear that there is no specific pleading that the workman worked 240 days in continuous service during a period of twelve calendar months preceding the date with reference. The specific period as stated in the statement of claim did not show that the workman worked 240 days during a period of twelve calendar months preceding the date with reference as has been required under Section 25 (B) (2) of the Industrial Disputes Act, 1947 (in short I. D. Act 1947). The pleading shows that he worked only from 3-11-85 to 18-3-86 preceding the date of reference. His service is not to be counted as continuous service of one year under the Act, 1947.

6. Now let us examine the evidence adduced by the workman. The workman Shri Balram Mishra is examined in the case. He has admitted that he was engaged as casual labour. He has stated that he worked at Shankargarh for

five months but he did not say the period in which worked. He has further stated that he worked from 3-11-85 to 18-3-86 at Satna. But this period did not complete 240 days continuously during a period of twelve calendar months preceding the date with reference. Moreover there is no document to prove that he worked five months at Shankergarh.

7. On the other hand, the management has also adduced evidence. The management witness Shri Bharat Bhushan Sharma was Time Keeper, Central Railway. He has stated that the Service Card of the workman was found not genuine. He had worked from 2-8-85 to 19-9-85 for 48 days under PWI (SRJ) and again from 30-11-85 to 19-1-86 for 51 days under PWI (R) Satna. Thereafter he had himself left the work. He has not worked continuously for more than 120 days and therefore he cannot be kept under monthly rated labour. His evidence shows that he had not continuously worked for 120 days as such monthly rated casual labour status cannot be granted to him under the Railway circulars. The management has also filed the report to show that the alleged card was not issued to the place from where it is alleged to have been issued. This shows that it was obtained by illegal means. Considering the discussion made above, it is clear that the management is justified in his action. Thus this issue is decided in favour of the management.

8. Issue No. II

It is evident that the workman has not continuously worked for 120 days. As such he is not entitled to the status of monthly rated casual employee. It is also clear from the above discussion that the workman has not worked continuously for a period of 240 days in twelve calendar months preceding the date of reference as provided under Section 25 (B) (2) of the I.D. Act 1947. Thus the provision of Section 25-F of the Act, 1947 is not applicable.

9. It is also not out of place to say that the Industrial Dispute was initiated in the year 1992 and it was at a very belated stage. Considering the entire aspect of the case, the workman is not entitled to any relief. The reference is accordingly, answered.

10. In the result, the award is passed without any order to costs.

11. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 10 दिसम्बर, 2010

का.आ. 116.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच

अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नागपुर के पंचाट (संदर्भ संख्या 76/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-12-2010 को प्राप्त हुआ था।

[सं. एल-12012/217/2001-आई आर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 10th December, 2010

S.O. 116.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 76/2001) of the Central Government Industrial Tribunal-cum-Labour Court-Nagpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India, and their workmen, received by the Central Government on 9-12-2010.

[No. L-12012/217/2001-IR (B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE SHRI J. P. CHAND PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/76/2001

Date: 16-11-2010

Petitioner/Party No. 1

The General Secretary,
State Bank of India and subsidiary
Banks Employees Union,
No. 29, Red Cross Road,
Sadar,
Nagpur.

Versus

Respondent/Party No. 2

The Asstt. General Manager,
State Bank of India, Zonal Office,
S. V. Patel Marg,
Nagpur

AWARD

(Dated: 16th November, 2010)

1. The Central Government has referred the industrial dispute between the employers in relation to the management of the Asstt. General Manager/the Deputy General Manager, State Bank of India, Zonal Office and their workman, Shri G. K. Ninawe (here-in-after referred to as the "workman") for adjudication in exercise of the powers conferred by clause (d) of sub-section (1) and sub-

section (2A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("The Act" in short), as per letter No. L-12012/217/2001 - IR(B-1) dated 31-10-2001, with the following schedule.

"Whether the action of the management of State Bank of India, Nagpur in awarding the punishment of reduction of pay by three stages to Shri G. K. Ninawe is justified? If not, what relief the said workman is entitled to?"

2. The Union of the workman being noticed filed the statement of claim on behalf of the workman pleading inter-alia that the workman was appointed by the A.G.M., Bombay on 13-5-1986 and worked in different branches of the bank being transferred from one branch to the other by the authority and he never disputed his transfers and discharged his duties to the utmost satisfaction of his superiors and the entire service record of the workman was clean and unblemish and while the workman was working at Loharisawanga Branch of the Bank as an Asstt. (ATN), the management of the bank issued a charge sheet on 9-5-1996 leveling four charges against him and before conclusion of the enquiry, on 20-7-98 the management issued another charge sheet in addition to the earlier charge sheet, in which it has disclosed its intention that the workman is liable for punishment as prescribed under Para 521 (5) of Sastri Award read with Para 18-20 of Desai Award, which includes punishment of "Dismissal without notice", which was prejudicial and biased attitude of the management towards the workman and the management had decided to dismiss the workman at any cost and the enquiry conducted by the Inquiry Officer, Shri J. C. Talnikar was without following the due procedure of law and in utter disregard to the principles of natural justice and the management issued the second show cause notice to the workman on 8-6-1998 alongwith the copy of the enquiry report and the workman submitted his show cause on 24-6-98 and the Disciplinary Authority did not consider the reply properly and passed the punishment order of dismissal on 17-11-98 and against the order of dismissal from service, the workman filed an appeal on 4-12-98 and the appellate authority modified the punishment and imposed the punishment of reduction of pay by three stages stating the same would meet the ends of justice, but the punishment imposed is shockingly disproportionate to the charges levelled against the workman and also not in accordance with the rules. Prayer made by the union to set aside the order of punishment imposed against the workman.

3. The management of State Bank of India in its written statement pleaded that on 8-1-96, while the workman was working at Loharisawanga Branch, one Mr. B. M. Jodh, a valued customer of the bank came to the branch to

deposit some cash in his account and the workman while counting the cash, tore a note of Rs. 50 for which the customer became annoyed and was about to take back the cash, but the Branch Manager consoled the customer and retained the business and the customer exchanged the torn note and received his Rs. 50 after two to three days and the customer lodged a written complaint about such misconduct of the workman, with the Branch Manager on 9-1-96 and earlier to such incident also the workman while working in cash counter in Loharisawanga Branch, had made a hole in the notes and torn the notes of one of the customer, Mr. Lokpal Chample and on 10-1-96 the workman lodged a false and frivolous complaint in the Police Station, Jalalkheda against the Branch Manager and Mr. B. M. Jodh, alleging that the customer had presented a fake currency note of Rs. 100 and thereby lowered down the image of the Bank and the valued customer in the society and there were lot of oral complaints against the workman for quarreling with the customers, using disrespectful language and showing discourtesy towards the customers and Shri Sanjay S. Dhakne, Shri Manohar L. Pande, Shri Ramesh Chikhalkar and Shri Lokpal Chample etc. customers of Loharisawanga Branch had lodged complaints with the Bank against the workman and the workman was also in habit of remaining absent without intimation and this fact had been brought to the notice of the workman vide letter dated 7-1-95, but in spite of such letter, the workman never showed any improvement and looking to the misconduct of the workman, the Bank was constrained to issue charge sheet for the various misconducts on 9-5-96 and the departmental enquiry against the workman started on 20-12-96 and ended on 13-11-97 and in the enquiry, the workman was duly represented by experienced union office bearer of his choice but subsequently he withdrew his representative and himself conducted the enquiry and seven witnesses were examined by the Bank, whereas two witnesses were examined on behalf of the workman and the workman was given fair and equal opportunity to defend his case and the enquiry was conducted following principles of natural justice in letter and spirit and after considering the entire materials on record, the Inquiry Officer vide his report dated 22-1-98 held the charges to have been proved against the workman and the Disciplinary Authority duly considered the enquiry report and after examining the entire material independently came to the conclusion to confirm the findings of the Inquiry Officer and on 3-6-98 issued show cause notice, for proposed punishment of "Dismissal without notice", under Para 521 (5) (a) of Sastry Award as amended by Desai Award and various Bipartite Settlement and the workman submitted his detailed reply to the show cause on 24-6-98 and before passing final orders, the workman was given personal bearing on 27-8-98 and after

considering the facts and circumstances of the case evidence on record, the show cause filed by the workman and the reply given during personal hearing the Disciplinary Authority passed the order of dismissal from service without notice vide his order dated 7-11-98 and in the appeal preferred by the workman, the Appellate Authority on 2-12-98 by a reasoned order, showing leniency reduced the punishment from "Dismissal without notice" to reduction in pay by three stages and during the pendency of the enquiry, the workman misbehaved with Presenting Officer, Mr. Nagarkar and used abusive and threatening language, hence charge sheet dated 20-7-98 came to be issued against the workman, stating the gross misconduct committed during enquiry may attract the punishment of dismissal without notice and the workman with ulterior motive has tried to mislead the Tribunal.

4. Even though, it is not a case of dismissal discharge retrenchment or termination of service the question of the validity of the departmental enquiry was considered as a preliminary issue and by order dated 12-12-2006, the departmental enquiry was held to be legal and proper.

It is necessary to mention here that neither the workman nor his union appeared in the case from 3-4-2006.

5. At the time hearing of argument from the side of the management, it was submitted by the learned advocate for the management that in a domestic enquiry, if there is some evidence to reasonably support the findings of the enquiring authority, the Court in exercise of its writ jurisdiction would not reverse the finding on the ground of insufficiency of evidence and where the Tribunal had not found any fault with the proceeding conducted by the enquiring authority, it had no jurisdiction to re-appreciate the evidence and set aside the order of punishment on the ground of insufficiency of evidence to prove the charges. In support of such contentions, reliance was placed on the decisions reported in (i) 1999 SSC (LCS) — 1424 (R. S. Saini Vs State of Punjab) (SC); (ii) 1999 LAB I. C. — 3833 (sc) = (2000) 1 SSC 416 (High Court of Judicature of Bombay Vs V. S. Patil); (iii) AIR 1974 SC = 555 (E. P. Royappa Vs. State of Tamil Nadu); (iv) 1995 SCC (L & S) — 292 (Government of Tamilnadu Vs. A Rajapandian); (v) 2005 SSC (L & S) — 298 (Bharat Forge Co. Ltd. Vs Uttam); (vi) 1999 LIC — 2819 (SC) BOI Vs. D. Suryanarayana; and (vii) 2006 SCC (L & S) — 1573 SBI Vs Ramesh Dinkar Pande and some others.

It was also submitted by the learned advocate for the management that if there has been an enquiry consistent with the rules and in accordance with principles of natural justice, what punishment would meet the ends of justice is a matter exclusively within the jurisdiction of the competent authority and if the penalty can lawfully

be imposed and is imposed on the proved misconduct, the Tribunal has no power to substitute its own direction for that of the authority and the Tribunal also cannot interfere with the penalty if the conclusion of the Inquiry Officer or the Competent Authority is based on evidence, even if some of its found to be irrelevant or extraneous to the matter. Reliance was placed in support of such contentions on the decisions reported in (i) AIR 1989 SC — 1158 (Union of India Vs Parma Nanda); (ii) AIR 1994 SCC (L & S) — 687 (SBI Vs Samarendra Kishore); (iii) (2000) 2 SCC (L & S) — 101 (Administrator U. T. O. Dadar Vs Galabhai).

The further contentions raised by the learned advocate for the management was that interference in the quantum of punishment cannot be a routine matter and if the Court feels that the punishment is shockingly disproportionate it must record reasons for coming to such conclusion and failure to give reasons amount to injustice. In support of such contentions reliance was placed on the decisions (i) 2003 SCC (L & S) — 468 (UCO Bank Vs. P. C. Kakkar); (ii) 2005 SSC (L & S) — 833 (Canara Bank Vs. V. K. Awasthy); (iii) 1999 LIC 1224 (Raj) RSRTC Vs. I. N & L Tribunal Udaipur).

Keeping in view the principles enunciated in the above decisions now, the present case at hand is required to be considered.

Perused the documents relating the departmental enquiry including the charge sheet, show cause filed by the workman, enquiry report, the orders passed by the Disciplinary Authority and the Appellate Authority, the statement of claim and the written statement and found that the workman was given fair opportunity to defend his case and the enquiry was conducted following the principles of natural justice and the enquiry report submitted by the Inquiry Officer is after considering the entire materials and evidence on record and the reasons assigned for arriving at the findings are proper and the Disciplinary Authority has also duly considered the enquiry report and has examined the entire matters independently to come to the finding about the charges to have been proved against the workman. It is also found from the order of the Appellate Authority that the Appellate Authority heard the workman in person and after taking into consideration his submission during the personal hearing and mentioned in his show cause and the evidence on record and taking the young age of the workman and his domestic problems into consideration, showing leniency reduced the punishment from "dismissal from service without notice" to reductions in pay by three stages. It is found from the materials on record that the findings are not perverse and the punishment imposed is not shockingly disproportionate to the charges proved against the workman. Hence it is ordered:—

ORDER

The action of management of State Bank of India, Nagpur in awarding the punishment of reduction of pay by three stages to Shri G. K. Ninawe is justified and the workman is not entitled to any relief.

J. P. CHAND, Presiding Officer

नई दिल्ली, 10 दिसम्बर, 2010

का.आ. 117.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स टिस्को के प्रबंधन के संबंध में निम्नलिखित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. 1, धनबाद के पंचाट (संदर्भ संख्या 338/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-2010 को प्राप्त हुआ था।

[सं. एल-20012/342/2000-आईआर (सी-1)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 10th December, 2010

S.O. 117.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 338/2000) of the Central Government Industrial Tribunal-cum- Labour Court No. 1, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. TISCO and their workman, which was received by the Central Government on 10-12-2010.

[No. L-20012/342/2000-IR (C-I)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD**

In the matter of a reference U/s. 10 (1) (d) (2A) of I.D. Act, 1947.

REFERENCE NO. 338 of 2000**Parties:**

Employers in relation to the management of M/s. TISCO Colliery.

AND

Their workmen

PRESENT: Shri H.M. SINGH, Presiding Officer

APPEARANCES:

For the Employers : Shri D. K. Verma, Advocate.

For the Workman : Shri S. N. Goswami, Advocate.

State : Jharkhand

Industry : Coal

Dated, the 30-11-2010

AWARD

By Order No. L-20012/342/2000-IR (C-I) dated 29th November, 2000 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal:

“Whether the action of the management of Sijua Colliery of M/s. TISCO in dismissing Sri Raj Kumar Beldar from the services of the company w.e.f. 12-6-95 is justified? If not, to what relief the concerned workman entitled?”

2. Written statement has been filed on behalf of the concerned workman stating that he was initially employed at Sijua Colliery of M/s. TISCO Ltd. w.e.f. 9-5-1977 as Line Mazdoor (Cat.II) and subsequently he was promoted to the post of Asstt. Driller (Cat.III) and to the post of Driller (Cat.IV) w.e.f. 21-10-85 and 21-1-1988 respectively. He was a permanent employee of the colliery. During the course of his employment the concerned workman fell seriously ill and caused him mental disturbance suffering from Psychosis (mental agony) and due to ill health he was undergone treatment of the Colliery's Hospital and beyond control the circumstances, he was to absent from the duty. The matter was duly informed to the management. He was referred at Mental Hospital, Ranchi Mansik Arogyasala, Kanke, Ranchi and he was admitted by his family members for his better treatment from 12-3-1995 to 28-1-1999 and after his recovery from illness, he was examined by Dr. A. K. Gupta, MBBS (RAN) MD (PAT) Psychiatrist issued certificate dated 28-1-99 and found him fit to rejoin his duty. The concerned workman submitted the certificate to the management and requested to resume his duty and to allow him on duty. But the management reported that his service has been dismissed w.e.f. 12-6-1995 vide letter Ref. No. SC/A-14/1828 dated 5-6-95. The management has taken major punishment in dismissing the concerned workman from service w.e.f. 12-6-95 without providing any opportunity to explain reasons for his absence. The management neither issued any charge-sheet nor show-cause notice to the concerned workman. The management has dismissed the concerned workman from his service without complying with provisions of Sec. 25-F of the I.D. Act, 1947 which members dismissal invalid.

It has been prayed that the Hon'ble Tribunal be graciously be pleased to pass an award directing the management to reinstate the concerned workman in his service with full back wages and other consequential benefits.

3. Written statement has been filed by the management stating that the concerned workman developed the habit of absenting from his duties without permission or authorised leave and without justifiable cause. In course of his service he was given several opportunities to reform and to refrain from committing such misconduct again and again. He was punished with the order of suspension for 5 days from 17-1-84 for commission of the misconduct under clause 19 (4) of the Certified Standing Order for the first time. He was punished with 5 days suspension from 28-5-90 under clause 19 (4) of the C.S.O. for commission of similar kind of misconduct on the 2nd occasion. He was again punished with 10 days suspension from 12-7-90 under clause 19 (4) of the C. S. O. for commission of the misconduct of habitual absence from duties without permission or information and without justifiable cause. This was the punishment imposed for the 3rd time. He was again punished with 5 days suspension from 4-3-93 and then 10 days from 27-4-93 for commission of similar misconduct on 2 occasions. It has been submitted that when he again committed similar misconduct under clause 19 (4) of the C.S.O. he was dismissed from his service with w.e.f. 14-6-93 by letter dated 8/9-6-93. It has been submitted that the recognised union raised an industrial dispute for review of the punishment imposed upon him and the management gave him another chance to serve the company and re-employed him w.e.f. 11-11-93. The concerned workman again committed the same misconduct of habitual absence from his duties by remaining absent without information w.e.f. 8-12-93 to 9-12-93, and from 17-12-93 to 20-12-93. He again absented from duty from 18-12-93 to 19-12-93 and again from 13-4-94 to 16-4-94. He was issued charge-sheet No.92 dated 4-5-94 and after holding enquiry he was suspended for 5 days for commission of the misconduct under clause 19(4) of the C. S. O. He again absented from duty from 12-5-94 to 15-5-94, 2-8-94 to 3-8-94 and 17-9-94 to 24-9-94 for which he was issued charge-sheet No. 238 dated 15-10-94 and after holding enquiry he was suspended for 10 days. Thereafter the concerned workman again remained absent from duty w.e.f 15-10-94 to 17-10-94 and from 16-1-95 to 18-1-95 and from 6-4-95 to 10-4-95 without any information and without any justification for which he was issued Charge-sheet No.88 dated 13-5-95 but the concerned workman did not submit any reply to the charge-sheet. The management appointed Sri M. M. Haque, Deputy Manager (P), Sijua Colliery as Enquiry Officer and Sri P. C. Nandy as management representative to conduct the departmental enquiry. Departmental enquiry was conducted by the Enquiry Officer and the concerned workman fully participated in the enquiry and the enquiry in accordance

with the principles of natural justice. He was given full opportunity to cross-examine the management's witness, to give his own statements and to produce his defence witness. The chargesheeted workman did not raise any objection against the Enquiry Officer, the Presenting Officer and the procedure of enquiry followed in this case. The Enquiry Officer submitted his enquiry report holding the concerned workman guilty of the charges levelled against him. The management after considering the enquiry report, enquiry proceedings and the past conduct dismissed the concerned workman with effect from 12-6-96, which is legal, valid and justified and the concerned workman is not entitled to any relief.

It has been prayed that the Hon'ble Tribunal be pleased to pass an award holding that the concerned workman is not entitled to any relief.

4. Both the parties have filed their respective rejoinders admitting or denying the contents of some of the paragraphs of each other's written statement.

5. The concerned workman has produced WW-1 who proved Ext.W-1.

The management has produced MW-1 who has proved Exts. M-1 to M-7 and M-7/1.

6. Main argument advanced on behalf of the concerned workman is that the enquiry report was not served to him and he was given only 3 days time and major punishment has been awarded to him. Moreover, 2nd show-cause notice was not given to him and prejudice has been caused to him and he was dismissed from service. He got treatment for his ailment and absented from duty which he informed the management. In this respect the charge-sheet Ext.M-1 shows he remained absent for 3 days in 1974 and 3 days in 1995 and lastly he was absent for 5 days only from 6-4-95 to 10-4-95. It shows that the management has not served notice to him and has not given time to file his explanation. The management has done this very hurriedly giving only 3 days time, though for giving 3 days time he was not given notice.

In this respect the statement MW-1 is very material. MW-1 stated on cross-examination at page 2 that I cannot say whether any paper showing my appointment as management's representative has been filed by the management or not. I cannot say whether the charge-sheet issued to the workman concerned was served upon him. In the domestic enquiry proceeding below the LTI it has not been mentioned that the same is the LTI of the concerned workman. Before passing order of dismissal the concerned workman was not served with copy of the enquiry proceeding and enquiry report. I cannot say whether the

concerned workman was served with a second show cause before issuing the order of dismissal. This statement of the management's witness shows that no 2nd show cause was issued to the concerned workman. Moreover, in the domestic enquiry proceeding the LTI has been taken from the concerned workman but it has not been mentioned that LTI is of the concerned workman or not. Moreover giving only 3 days time for awarding punishment of dismissal shows that this is prejudice attitude of the management.

The concerned workman has referred 1991 Lab. I. C. 308 (SC) in which Hon'ble Supreme Court laid down that the disciplinary proceeding is quasi-judicial and it attracts principles of natural justice. Inquiry Officer regarding finding of guilt and preposing punishment — The delinquent is entitled to know the same. Delinquent's right to be entitled to copy thereof — Not lost after the 42nd amendment-Rules of natural justice. Applicability to disciplinary inquiry — Not affected by 42nd Amendment.

7. The management has referred (2008) Supreme Court Cases (L & S) 164 in which Hon'ble Supreme Court laid down that when a person had been found guilty of unauthorised absenteeism for 15 times and again he was unauthorised absence for a long period of 105 days, in that case, consequential dismissal from service ought not to have been treated to be harsh and interfered with by Labour Court/High Court.

In the present case the concerned workman remained absent for 11 days in two years of service and that 11 days absence from duty cannot be treated as habitual absentee in the present case, considering his Psyclusis problem. However the order passed by the management i.e. dismissal order, Ext. W-2, shows that he was not given enquiry report of the proposed punishment. So it also violates law laid down by the Hon'ble Supreme Court reported in 1991 Lab. I. C. 308 (SC).

8. Considering the facts and circumstances stated above, I hold that the action of the management of Sijua Colliery of M/s. TISCO in dismissing Sri Raj Kumar Belder from the services of the company w.e.f. 12-6-95 is not justified. Accordingly the concerned workman is entitled to be reinstated in service with 50% back wages. The management is directed to implement the award within 30 days from the date of publication of the award.

This is my award.

H.M. SINGH, Presiding Officer

नई दिल्ली, 10 दिसम्बर, 2010

का.आ. 118.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार देवी स्टोन के

प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय 1, धनबाद के पंचाट (संदर्भ संख्या 29/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-2010 को प्राप्त हुआ था।

[सं. एल-29012/3/2007-आईआर (एम)]

जोहन तोपनो, अवर सचिव

New Delhi, the 10th December, 2010

S.O. 118.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.29/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Devi Stone and their workman, which was received by the Central Government on 10-12-2010.

[No. L-29012/3/2007-IR (M)]

JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT

INDUSTRIAL TRIBUNAL NO. 2 AT DHANBAD

PRESENT: Shri Kishori Ram, Presiding Officer

In the matter of an Industrial Dispute under Section 10 (1) (d) of the I.D. Act, 1947

Reference No. 29 of 2007

PARTIES:

Employers in relation to the management of M/s. Devi Stone Works, Mallpara, Pakur and their workman.

APPEARANCES:

On behalf of the Employers : Mr. S. N. Ghosh, Advocate

On behalf of the Workman : None

State: Jharkhand

Industry : Stone Mines

Dated, the 16th November 2010

AWARD

The Government of India Ministry of Labour has, in exercise of the powers conferred on them under Section 10 (1) (d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-29012/3/2007-IR-(M) dated, the 9th May, 2007.

SCHEDULE

"Whether the termination of services of Shri Kumar Krishna Nand Singh, Mines Mate, by M/s. Devi Stone Works and non-settlement of statutory dues for the month 1-7-2002 to 31-12-2003 is just & legal? If not, what relief the workman is entitled to?"

2. The instant case relates to the termination of services of Shri Kumar Krishna Nand Singh, Mines Mate, by M/s. Devi Stone Works as well as to the non-settlement of statutory dues for the period from 1-7-2002 to 31-12-2003. The case was running at the point of filing W. S. and rejoinder by the management, as well as the settlement between both the parties.

3. Meanwhile today Shri S. N. Ghosh, Learned, Advocate for the management filed a petition along with an Affidavit in original dated 15-1-2008 which was sworn by the concerned workman Kumar Krishna Nand Singh and accordingly praying for closure of the case on the ground that there has been amicable settlement of the issue between both the parties. The perusal of the affidavit of the workman concerned crystal clearly shows that he has himself admitted that his employer owner of the company was closed due to the pitiable condition of its economy. It also displays that the dispute for his final dues of his service was raised before the LEO (C) Patna and RLC (C), Patna Bihar yet it could not be decided. Hence, the present case has been pending before this Tribunal for adjudication. Meanwhile it appears that the workman and the management (owner) have amicably settled the dispute on the 14th January, 2008 under which the former had received cash of Rs.20,000 in a single stroke as per his receipt dated 15-1-2008 under his signature. The affidavit of the workman concerned also stipulates that his claim whatsoever no longer existed.

4. Under the circumstances I find and hold that since the management concerned had closed owing to the bankruptcy of its owner but ultimately the disputed dues of his service in the said company for the period resulted in amicable settlement between the parties through the payment of Rs.20,000 to the workman concerned on 14-1-2008.

6. Accordingly it is awarded in terms of amicable, fair and proper settlement of both the parties in accordance with the principle of natural justice. The affidavit and its enclosure will form part of the Award as Annexure.

KISHORI RAM, Presiding Officer

ANNEXURE

BEFORE THE HON'BLE PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 1, DHANBAD

Reference Case No. 29 of 2007

Employers in relation to the management of M/s. Devi Stone Works, Pakur

AND

Their Workman Sri Krishna Nand Singh

Petition to drop the proceeding in view of payment made to the workman by the management as final Settlement

APPEARANCES:

On behalf of the Management of M/s. Devi Stone Works, it is most humbly stated and submitted as under :—

(1) That the workman Krishna Nand Singh have sworn an affidavit dated 15-1-2008 wherein the workman have stated that he have settled the dispute with the management of M/s. Devi Stone Works, Pakur and in view of settlement have received Rs.22,000 (rupees twenty two thousand only) from the management to full and final settlement and have given money receipt to that extent.

(2) That photocopy of the said affidavit and the money receipt has already been filed before the Hon'ble Tribunal and the originals of the affidavit and money receipt will be produced if directed by the Hon'ble Court.

(3) That in view of the above foregoing the above reference case may kindly be closed.

It is therefore prayed that your Lordship may graciously be pleased to close the above mentioned reference case or as deem fit and pass award accordingly

And your petition as in duty bound shall his pray.

Filed by
S. N. Ghosh
Advocate

(for the management)
16-11-10

अनुबंध

के समक्ष,

लेख्य प्रमाणक, पाकुड़, जिला - पाकुड़ (झारखण्ड)।

शपथ-पत्र

मैं, कुमार कृष्णा नन्द सिंह, पे. श्री चुनचुन प्रसाद सिंह, / के. ओ. - दिनेश मिश्रा (ड्राईवर), निवासी मुहल्ला-मधुपाड़ा, पाकुड़, थाना-पाकुड़, नगर, झारखण्ड शपथपूर्वक एवं सत्य निष्ठापूर्वक निम्नवर्णित तथ्यों की घोषणा करता हूँ :-

1. कि, - मैं जन्म से भारतीय नागरिक सह उपरोक्त वर्णित पते का निवासी हूँ।

2. कि, मैं, मेसर्स देवी स्टोन वर्क्स, मालीपाड़ा, अंचल पाकुड़ में एक मेट के रूप में कार्यरत था और उक्त कम्पनी का मालिक का आर्थिक स्थिति दयनीय होने के कारण कम्पनी का काम बन्द हो गई। अंतिम हिसाब मुझे उक्त कम्पनी से नहीं मिलने के कारण मैं एल. ई. ओ. (सी) पाकुड़ के पास विवाद उठाया पर एल. ई. ओ. (सी) पाकुड़ एवं आर. एल.सी. (सी.) पटना (बिहार) के समक्ष फैसला न हो सका। वर्तमान में मेरा उक्त कम्पनी का विवाद धनबाद श्रम न्यायालय में चल रहा है। पर मैं तथा उक्त मेरा कम्पनी के

मालिक के साथ हम दोनों के बीच दि- 14.1.08 आपसी समझौता अंतिम हिसाब के रूप में हो गया। जिसकी रकम राशि 22, 000-00 (बाईस हजार रु.) रुपया में एक मुश्त में प्राप्त कर लिया हूँ। अब उक्त कम्पनी के ऊपर मेरा कोई किसी भी प्रकार का दावी, दावा नहीं रहा।

3. कि, - मेरे साथ में उक्त मेरा कम्पनी के मालिक से जो मुकदमा चल रहा है मैं उसे श्रम न्यायालय, धनबाद में जाकर वापस ले लूंगा।

4. कि, - मैं, संबंधित न्यायालयों में समर्पित करने हेतु इस शपथ पत्र का निष्पादन कर दे रहा हूँ।

5. कि, - इस शपथ पत्र में वर्णित सभी तथ्य कथन मेरी जानकारी ज्ञान एवं विश्वास में सत्य है, इसकी कोई भी कथन असत्य नहीं हैं।

शपथकर्ता -

कुमार कृष्णा नंद सिंह

सत्यापन

मैं, कुमार कृष्णा नंद सिंह शपथ पूर्वक सत्यापित करता हूँ, कि - इस शपथ पत्र में वर्णित सभी तथ्य कथन मेरी जानकारी, ज्ञान एवं विश्वास में सत्य है जिसे मैंने स्वयं पढ़कर सुन व समझ लिया तथा सही लिखा टंकित पाकर आज दिनांक-15.1.2008 को पाकुड़ न्यायालय परिसर में उपस्थित होकर अपना हस्ताक्षर अंकित कर दिया।

पहचानकर्ता

अधिवक्ता, पाकुड़ कोर्ट।

गवाहगणों का हस्ताक्षर :

1. हस्ताक्षर
2. हस्ताक्षर

शपथकर्ता -

1. हस्ताक्षर
2. हस्ताक्षर

द्वारा टंकित:- तारकेश्वर प्रसाद सिंह,
न्या. परि, पाकुड़।

मैं कुमार कृष्णा नन्द सिंह, मैसर्स देवी स्टोन वर्मा से विवाद का फैसला होने पर रकम 22,000 अंकेन में बाईस हजार रुपया का भुगतान पाया।

हस्ताक्षर

नई दिल्ली, 10 दिसम्बर, 2010

का.आ. 119.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैगनीज और इंडिया लिमिटेड के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नागपुर के पंचाट (संदर्भ संख्या

50/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-2010 को प्राप्त हुआ था।

[सं. एल-27012/1/2010-आई आर(एम)]

जोहन तोपनो, अवर सचिव

New Delhi, the 10th December, 2010

S.O. 119.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 50/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Manganese Ore (I) Ltd and their workman, which was received by the Central Government on 10-12-2010.

[No. L-27012/1/2010-IR (M)]

JOHAN TOPNO, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NAGPUR

No. 50/07

DIARY

Date.

Exhibit No.

PROGRESS:

Petitioner/

Party No. 1

The Vice President,
MOIL Kamgar Sanghatan,
C/o Shri Ramavtar Devangan, MOIL
Staff Quarters,
Near Durga Mandir,
Katol Road,
NAGPUR - 440013

Versus

Respondent/

Party No. 2

The General Manager,
Manganese Ore (I) Ltd.,
3 Mount Extension,
Sadar, P.O. Box No. 34
NAGPUR - 440001

1. This is a reference made by the Central Government in exercise of the power conferred by clause (d) of sub-section (1) and Sub-section 2 (A) of section 10 of the Industrial Dispute Act, 1947 (14 of 1947) for adjudication of the Industrial dispute between the employers in relation to the management of Manganese Ore (I) Ltd and their workman, Smt. Geeta Bai w/o late Sh. Yograj, as per letter

No. L -27012/1/2007 -IR (M) dated 14-9-2007 with the following schedule.

“Whether the action of the management of MOIL, Nagpur in denying the employment to Smt. Geeta Bai w/o late Sh. Yograj on compassionate ground is fair and just? If not, to what relief the concerned applicant is entitled?”

2. The applicant in her statement of claim had requested to give direction to the management to give her appointment on compassionate ground. The management had resisted the claim of the petitioner in the written statement. However, it is clear from the pursis filed by the management on 30-9-2010 and the application filed by the petitioner today i.e. 16-11-2010 that the petitioner has already been given appointment by the management on compassionate ground.

3. Hence, the dispute is disposed of on compromise. The pursis filed on 30-9-2010 and the application on 16-11-2010 by made part of the award. This may be treated as a consent award in terms of the settlement arrived at by the parties. Copy of the settlement be made a part of the award.

J. P. CHAND, Presiding Officer

Petitioner his Counsel absent Respondent Counsel is present, Petitioner as well as his counsel is absent since 24-11-2008, neither filing his WW affidavit from 13-4-09 Adjourned as a last chance to file WW affidavit by petitioner to 30-9-10

Petitioner and her Counsel is absent on calls, Respondent Counsel present filed pursis that the petitioner is appointed on compassionate ground alongwith appointment order thus.

As now the petitioner is under management's control/capacity. The management is directed to produce before the court on the next date for her say in the matter.

Call on 11-11-2010

The petitioner and her advocate are present. Advocate for the management is present. The petitioner has filed an application to permit her to withdraw the dispute on the ground that there is an amicable settlement between her and the management. The advocate for the management has also made endorsement on the application that the compassionate appointment has already been given by the management to the petitioner and accordingly, the case be disposed of.

Put up later on for the order.

J. P. CHAND, Presiding Officer

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
NAGPUR**

CGIT No. 50/2007

F. F. 30-9-2010

Manganese Ore (I) Ltd.

Vs.

Smt Geetabai Yograj Alku

PURSIS

The party No.1/Management submits as under;

The party No.2/workman had raised a dispute for grant of compassionate appointment. The party no.1/management, on declaration about the death of her husband by the competent court, sympathetically considered the case of the workman and offered appointment on compassionate grounds. A copy of letter dt 2-8-2010 issued to that effect is filed herewith. Thus the dispute no longer subsists and as such the reference may be answered accordingly.

Hence this pursis.

Nagpur

Date: 30-9-2010

Counsel for Party No.1/Management

मैंगनीज ओर (इंडिया) लिमिटेड,

मॉयल भवन, 1-ए काटोल रोड, छावनी,

नागपुर - 440013

पत्र संख्या 20-ए/आश्रित/पीईआर/नेस्ट/2010/536

दिनांक 2-8-2010

खान प्रबन्धक

उकवा खान

महोदय,

आपके पत्र क्र. उ.खा./2/भर्ती/10-11/1459 दिनांक 15-7-2010 के सन्दर्भ में आपको सूचित किया जाता है कि सक्षम प्राधिकारी ने आपकी खान के (कोर्ट द्वारा घोषित) मृतक कामगार स्व. श्री योगराज अल्कु की आश्रिता पत्नी श्रीमती गीताबाई योगराज को उकवा खान में भुपृष्ट पीसरेट (अकुशल) कामगार के रूप में नियुक्ति देने की अनुमति प्रदान कर दी है, जिसका विवरण निम्नानुसार है :-

1. उपरोक्त आश्रिता का चरित्र सत्यापन रिपोर्ट प्राप्त होने तक उनकी नियुक्ति अस्थायी कामगार की हैसियत से की जाये तथा संबंधित उम्मीदवार की चरित्र सत्यापन रिपोर्ट प्राप्त होने पर तथा उसमें किसी भी प्रकार की प्रतिकूल टिप्पणी नहीं पाई गई तो उनकी नियुक्ति कम्पनी में स्थायी कामगार के रूप में की जाएगी। यदि उक्त उम्मीदवार के चरित्र सत्यापन रिपोर्ट में प्रतिकूल टिप्पणी पाई जाती है तो उनकी नियुक्ति नियमानुसार समाप्त कर दी जावेगी।

2. उनकी चिकित्सा परीक्षा इत्यादि कम्पनी के नियमानुसार की जाये।
3. उपरोक्त उम्मीदवार का साक्षात्कार लेने के बाद अलग से नियुक्ति प्रस्ताव पत्र दिया जाये।
4. उपरोक्त उम्मीदवार को भूपृष्ठ पीसरेट (अकुशल) कामगार की हैसियत से अस्थाई रूप से 6 महीनों के लिए कार्य दिया जाए।
5. उपरोक्त समय में इन्हें परीवीक्षाधीन रखा जाये और उनके परीवीक्षा अवधि समाप्त होने पर उनके आचरण, कमाई, हाजरी संबंधी विवरण को देखते हुए आगे की कार्यवाही की जाए।
6. उपरोक्त उम्मीदवार कम्पनी में भर्ती होने के बाद यदि परीवीक्षाकाल के दौरान अपनी कमाई जीविका का कोई अन्य साधन प्राप्त कर लेते तो उन्हें कम्पनी की सेवा में नहीं रखा जाएगा।

भवदीय
हस्ताक्षर

वरि. उप महा प्रबन्धक (कार्मिक),

प्रतिलिपि :

1. अभिकर्ता समूह-1, बालाघाट खान

**BEFORE THE HON'BLE PRESIDING OFFICER
C.G.I.T. AT NAGPUR**

REFERENCE NO. 50 of 2007

FF-16-11-2010

MOIL

Vs

Geeta Nisad

**APPLICATION FOR GRANT OF PERMISSION TO
WITHDRAW THE DISPUTE**

The Party No.2 workman submits as under—

(1) That the Party No.2 workman had filed the above reference for adjudication before this Hon'ble Tribunal. However, during the pendency of above reference, a Settlement came to be arrived at between the Party No. 1 and Party No. 2.

(2) That, the Party No.2, under this circumstances does not want to prosecute the matter further. In view of this permission to withdraw the dispute may kindly be granted in the interest of justice.

PRAYER:— It is therefore most respectfully prayed that this Hon'ble Court may be pleased to grant of permission to withdraw the disposit, in the interest of justice.

Compassionate appointment has been given to Party No. 2. Therefore reference may be disposed of.

Sd-

Party No. 1

16-11-2010

Nagpur

Dated - 16-11-2010

गीता बाई निषाद

Party No. 2

नई दिल्ली, 10 दिसम्बर, 2010

का.आ. 120.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी एल नवेतिया टिकरपुरा पाप्रोपरलाइट माइन्स केन्जोर उड़ीसा के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/भ्रम न्यायालय, भुवनेश्वर-2 के पंचाट (संदर्भ संख्या 14/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-2010 को प्राप्त हुआ था।

[सं. एल-29011/6/2005-आई आर (एम)]

जोहन तोपनो, अवर सचिव

New Delhi, the 10th December, 2010

S.O. 120.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 14/2005) of the Central Government Industrial Tribunal/Labour Court, Bhubaneswar-2, now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Mine Owner M/s. B. L. Newatia; Tikiripara Pyrophyllite Mines Keonjhar Orisa and their workmen, which was received by the Central Government on 10-12-2010.

[No. L-29011/6/2005-IR (M)]

JOHAN TOPNO, Under Secy.

ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT,
BHUBANESWAR**

Present :

Shri J. Srivastava,
Presiding Officer, C.G.I.T.- cum-Labour
Court, Bhubaneswar.

INDUSTRIAL DISPUTE CASE No. 14/2005

L-29011/6/2005 -IR (M), dated 3-5-2005

Date of Passing Award : 26th November, 2010

Between :

The Management of the Mine Owner,
M/s. B. L. Newatia,,
Tikiripara Pyrophyllite Mines,
At./Po/Dist. Keonjhar, Orissa.

.... 1st Party-Management

And

Their Workmen represented through the
General Secretary,

Keonjhar Mines and Forest Workers Union,
At./Po. Barbil
Dist. Keonjhar, Orissa - 758035

...2nd Party-Union

APPEARANCES

None For the 1st Party-
Management.
General Secretary For the 2nd Party-
Union

AWARD

Case taken up today in the Lok Adalat. None of the parties is present.

The present case has been set ex-parte against the 1st Party-Management as it has not filed any written statement till date nor appeared in this Tribunal. The 2nd Party-Union also remained absent for several dates in the past. It therefore transpires that neither of the parties are interested in pursuing the case. After proceeding the case ex-parte against the 1st Party-Management, the 2nd Party-Union also remained absent on last several dates. It was called upon to produce ex-parte evidence but neither it appeared nor filed any ex-parte evidence though notice through Regd. post was issued to it. As such this reference remains without evidence. The claim raised in this reference could not be substantiated or proved as valid and justified without evidence. As such no award can be passed in favour of the 2nd Party-Union. The claim made in the statement of claim is therefore declined and the award is passed accordingly.

Dictated and Corrected by me.

J. SRIVASTAVA, Presiding Officer

नई दिल्ली, 10 दिसम्बर, 2010

का.आ. 121.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स अरुण उद्योग ठेकेदार ओस्टपाल करोमाइट माइन्स मैसर्स एफ ए सी ओ आर कानसा जजपुर उडीसा के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, भुवनेश्वर-2 के पंचाट (संदर्भ संख्या 22/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-2010 को प्राप्त हुआ था।

[सं. एल-43012/4/2009-आई आर (एम)]

जोहन तोपनो, अवर सचिव

New Delhi, the 10th December, 2010

S.O. 121.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 22/2009) of the Central Government Industrial Tribunal/Labour Court, Bhubaneswar-2 now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s Arun Udyoga Contractor Ostpal Chromite Mines of M/s. FACOR PO, Kansa Jajpur Orissa and their workmen, which was received by the Central

Government on 10-12-2010.

[No. L-43012/4/2009-IR (M)]

JOHAN TOPNO, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BHUBANESWAR

Present :

Shri J. Srivastava,
Presiding Officer, C.G.I.T.- cum-Labour
Court, Bhubaneswar.

INDUSTRIAL DISPUTE CASE No. 22/2009

L -43012/4/2009 -IR (M), dated 9-6-2009

Date of Passing Order 26th November, 2010

Between :

The Management of (1) Chief Executive,
M/s. FACOR Ltd. ,
Kuans, Laxmibhavan,
Bhadrak - 756100 Orissa.

(2) M/s. Arun Udyoga, Contractor, Ostpal
Chromite Mines of M/s. FACOR,
PO. Kansa PS. Tamaka,
Jajpur, Orissa

....1st Party-Management

AND

Their Workmen Shri Kalia Mohanta,
At. Khushnapur,
PO. Anali, PS. Bhuban,
Dist. Dhenkanal,
Orissa -

...2nd Party-Union

APPEARANCES :

Authorized For the 1st Party-
Representative Management No.1
None For the 1st Party-
Management No.2
None For the 2nd Party-
workman

ORDER

Case taken up today in the Lok Adalat. The 1st Party-Management No.1 is present through authorized representative. The 1st Party-Management No. 2 and the 2nd Party-workman are absent despite sending notices.

The case has been lingering for the last one year and five months for filing of statement of claim by the 2nd Party-workman. He was noticed after being impleaded in the reference through Regd. Post but he did not appear nor file the statement of claim. The reference cannot be kept pending any more. It is therefore liable to be returned to the Government of India, Ministry of Labour for taking necessary action at their end. As such the reference is returned of the Government of India, Ministry of Labour without adjudication for want of statement of claim for taking necessary action at their end.

Dictated and Corrected by me.

J. SRIVASTAVA, Presiding Officer

नई दिल्ली, 10 दिसम्बर, 2010

का.आ. 122.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स परल मिनरल ग्रेनाइट के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय हैदराबाद के पंचाट (संदर्भ संख्या 46/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-2010 को प्राप्त हुआ था।

[सं. एल-29012/19/2009-आई आर (एम)]

जोहन तोपनो, अवर सचिव

New Delhi, the 10th December, 2010

S.O. 122.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 46/2009) of the Central Government Industrial Tribunal/Labour Court Hyderabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Pearl Minerals Granites and their workman, which was received by the Central Government on 10-12-2010.

[No. L-29012/19/2009-IR(M)]

JOHAN TOPNO, Under Secy.

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
AT HYDERABAD**

PRESENT : Shri Ved Prakash Gaur, Presiding Officer

Dated the 1st day of October, 2010

Industrial Dispute No. 46/2009**Between :**

Shri Dupati Venkateswarlu,
C/o P. krishnaiah Bhavan,
Near MRO Office Road,
Chimakurthi (V&M),
Prakasam District.

... Petitioner

AND

Sri Siva Sankar,
Director,
M/s. Pearl Minerals Granites,
R.L. Puram (V), Chimakurthy(M),
Prakasam District.

... Respondent

APPEARANCES :

For the Petitioner : NIL

For the Respondent : NIL

AWARD

The Government of India, Ministry of Labour by its order No. L-29012/19/2009-IR(M) dated 23-11-2009 referred the following dispute under Section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of M/s. Pearl Minerals Granites and their workman. The reference is,

SCHEDULE

“Whether the action of the management of M/s. Pearl Minerals Pvt. Ltd, in terminating the services of Shri D. Venkateswarlu, Ex. Excavator w.e.f. 16-11-2008 is legal and justified? What relief the workman concerned is entitled to and from which date?”

The reference is numbered in this Tribunal as I.D. No. 46/2009 and notices issued to the parties.

2. The Respondent has sent letter dated 30-12-2009 received in this office on 23-7-2010 along with withdrawal letter of Petitioner addressed to Assistant Labour Commissioner (C), Vijayawada requesting to drop further proceedings in the matter as the matter has been settled amicably. It is also mentioned in the letter that the dues payable to the Petitioner workman Sri D. Venkateswarlu had been paid vide Cheque Nos. 297317 and 297318 dated 28-8-2009 drawn on Vijaya Bank, Ongole which were acknowledged by the Petitioner also. In view of the memo to withdraw the case, the case is dropped treating it to have been withdrawn as finally settled between parties. Hence, this Award on basis of memo dated 30-12-2009. Memo shall form part of Award.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me on this the 30th day of October, 2010.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidenceWitnesses examined for
the Petitioner

NIL

Witnesses examined for
the Respondent

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 10 दिसम्बर, 2010

का.आ. 123.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ए सी सी

लिमिटेड ठेकेदार ए सी सी सीमेंट मैसर्स एस. डी. ठक्कर चन्द्रपुर के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 13/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-2010 को प्राप्त हुआ था।

[सं. एल-29012/38/2008-आई आर (एम)]

जोहन तोपनो, अवर सचिव

New Delhi, the 10th December, 2010

S.O. 123.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.13/2008) of the Central Government Industrial Tribunal/Labour Court, Nagpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ACC Ltd. M/s. S. D. Thakre ACC Contractor Chandrapur and their workman, which was received by the Central Government on 10-12-2010.

[No. L-29012/38/2008-IR (M)]

JOHAN TOPNO, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NAGPUR

No. 13/2008

Dated the 16th day of November, 2010

The petitioner and his advocate are absent. Advocate for the management and representative from the side of management are also absent. Though the case is pending since 14-7-2008, neither the workman has filed statement of claim nor the management has filed written statement. It appears from the record that the parties are not interested to proceed with the case.

2. Hence the case is closed and is reserved for award. put up later on for award.

J. P. CHAND, Presiding Officer, CGIT, Nagpur

**Petitioner/
Party No. 1** Shri Ramu Budhaji Katre,
Ward No. 4, Near Gajanan Mandir,
Ghugus, Chandrapur,

Versus

**Respondent/
Party No.2** The Plant Head,
ACC Ltd., Post Cement Nagar,
Chandrapur.

2. M/s. S.D. Thakre,
ACC contractor, Post Cement Nagar,
Chandrapur-442502.

1. The Central Government has referred the industrial dispute between the employers in relation to the management of the ACC Ltd., Post Cement Nagar and their workman, Shri Ramu Budhaji Katre (here-in-after referred to as the "workman") for adjudication in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("The Act" in short), as per letter No. L-29012/38/2008-IR(M) dated 5-5-2008, with the following schedule :-

"Whether the action of the management of M/s. ACC Cement Ltd., in terminating the services of Shri Ramu Katre, Mazdoor, orally through the contractor (M/s S.D. Thakre) without complying the relevant provisions of law and denying him his legitimate dues is legal and justified? What relief the workman is entitled to?"

2. The case came up for hearing on 16-11-2010. On that day, the workman and his advocate were absent. The advocate and the representative from the side of management were also absent. The workman was not attending the Court for the last 2 years.

3. On perusal of the record, it is found that the workman and his advocate are not attending the Court since 14th July, 2008. The workman has not filed the statement of claim. The management has also not filed the written statement. It appears that nobody is interested to proceed with the case. Hence, the case is liable to be dismissed for default of the parties. Hence it is ordered:

ORDER

The case is dismissed for the default of the parties. This may be treated as no award.

J. P. CHAND, Presiding Officer

नई दिल्ली, 10 दिसम्बर, 2010

का.आ. 124.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मायनिंग एण्ड इलाईड मशीनरी कारपोरेशन लिमिटेड, नागपुर के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 83/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-2010 को प्राप्त हुआ था।

[सं. एल-29012/32/2001-आई आर (एम)]

जोहन तोपनो, अवर सचिव

New Delhi, the 10th December, 2010

S.O. 124.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.83/2001) of the Central Government Industrial Tribunal/Labour Court,

Nagpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Mining & Allied Machinery Corporation Ltd., Nagpur and their workman, which was received by the Central Government on 10-12-2010.

[No. L-29011/32/2001-IR(M)]
JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE THE J. P. CHAND, PRESIDING OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/83/2001 Dated : 26-11-2010

**Petitioner/
Party No. 1** The Secretary,
MAMC Employees
Union, (CITU), 306, Shanichara
behind Khandoba Deosthan,
Cotton Market, Nagpur.

Versus

**Respondent/
Party No. 2** The Manager,
Mining & Allied Machinery
Corporation Ltd., 47, MIDC,
Hingna, Nagpur.

AWARD

(Dated : 26th November, 2010)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of the Manager, Mining and Allied Machinery Corp. Ltd, 47, MIDC, Hingna, Nagpur and their workmen, S/Shri Raju Alias Rajendra Krushnarao Khandekar and Gyneshwar Kashirao Parate ("the workmen" in short) for adjudication, as per letter No. L-29011/32/2001-IR(Misc.) dated 31-7-2001 and corrigendum issued vide letter of even No. 27-2-2002, with the following schedule :—

SCHEDULE

" Whether the action of the management of the Manager, Mining and Allied Machinery Corp. Ltd, 47, MIDC, Hingna, Nagpur in engaging and continuing S/Shri Raju Alias Rajendra Krushnarao Khandekar and Gyneshwar Kashirao Parate who were working with the Corporation years together as daily wagers and depriving them of privilege of permanent employees is legal, proper and justified? If not, to what relief the said workmen are entitled to and from what date ?"

2. The workmen, Shri Raju Alias Rajendra Krushnarao Khandekar and Gyneshwar Kashirao Parate through their

union filed their statement of claim for issuance of direction to include their names in the list of the workers entitled to be made permanent in their post with the pleading that they were working continuously with the Manager, Mining Allied Machinery Corporation Ltd., Hingna, Nagpur for years together as daily wagers and the management did not include their names in the list of workers entitled to be made permanent, without any justification.

3. The management also filed their written statement denying the allegations made by the workmen pleading that they were never in continuous employment and they were employed only as and when required as casual labourers and were paid the minimum wages as prescribed under the Minimum Wages Act and as such they are not entitled to be made permanent.

4. The workman filed two separate affidavits on 31-7-2002. However, since 10-3-2010, the workmen remained absent. None also appeared on behalf of the workmen to argue out the case. On 28-10-2010, a last chance was given to the parties for argument on the merit of the case and the case was fixed to 26-11-2010 for argument. On 26-11-2010 also, the parties remained absent, so the case was closed for passing award.

5. Perused the record and found that there is no evidence on record to show that the two workmen were working in Mining and Allied Machinery Corporation Ltd., Hingna continuously for years. Rather, the documents filed by them show that they were working as casual labourer and they worked only for some days in the said industry. It is also found from the documents filed by the management that the Mining and Allied Machinery Corporation Ltd., Durgapur including Nagpur unit was declared closed w.e.f. 3-1-2002 in pursuant of the Court's order. In view of the evidence on record, I find that the two workers are not entitled for getting the status of permanent employee. Hence it is ordered :

ORDER

The action of the management of Manager, Mining and Allied Machinery Corporation Ltd., 47, MIDC, Hingna, Nagpur in giving making the workman privilege of permanent employees is legal, proper and justified and the workmen are not entitled for any relief.

J. P. CHAND, Presiding Officer

नई दिल्ली, 13 दिसम्बर, 2010

का.आ. 125.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार श्री जगदीश चड्ढा पुत्र श्री किशन चड्ढा माइन्स लीज होल्डर कोटा के प्रबंधन के संबंध में निम्नलिखित के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम

न्यायालय, जयपुर के पंचाट (संदर्भ संख्या 14/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-12-2010 को प्राप्त हुआ था।

[सं. एल-29012/28/2005-आई आर(एम)]

जोहन तोपनो, अवर सचिव

New Delhi, the 13th December, 2010

S.O. 125.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.14/2006) of the Central Government Industrial Tribunal/Labour Court, Jaipur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Jagdish Chaddha S/o Sh. Kishan Chaddha Mine Lease Holder Kota and their workman, which was received by the Central Government on 13-12-2010.

[No. L-29012/28/2005-IR (M)]

JOHAN TOPNO, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JAIPUR

PRESENT : N. K. PUROHIT, Presiding Officer

I.D. 14/06

Reference No. L-29012/28/05-(IR(M))

Dated : 24-1-2006

Sh. Nanuram Munshi
S/o Shri Nathu Lal
Through Joint Secretary
Hind Mazdoor Sabha
Bengali Colony Cantonment
Kota (Raj.)

V/s

Shri Jagdish Chaddha
S/o Sh. Kishan Chaddha
Mine Lease Holder
Naya Kheda Boondi Road
Kota (Raj.)

AWARD

26-11-2010

1. The Central Government in exercise of the powers conferred under clause (d) of sub-section 1 and 2(A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following Industrial dispute to this tribunal for adjudication which runs as under :—

“क्या श्री नानूराम पुत्र श्री नाथुलाल को श्री जगदीश चड्ढा माईन्स लीज होल्डर नया-खेड़ा बून्दी रोड, कोटा की ग्राम बुधपुरा में स्थित सेण्ड-स्टोन की खदान पर मुंशी के पद पर माह जनवरी, 1998

से 10-09-2003 के मध्य निरन्तर 240 दिन से अधिक सेवा प्रदान की थी ? यदि हां तो अप्रार्थी द्वारा श्री नानूराम पुत्र श्री नाथुलाल को सेवा से पृथक करने की कार्यवाही उचित एवं वैध है? यदि नहीं तो प्रार्थी किस अनुतोष तथा राहत का हकदार है ?”

2. Pursuant to the receipt of the reference order, the registered notices were issued to both the parties. Upon perusal of the proceedings of the case, it appears that representative on behalf of both the sides appeared on 19-4-06 and claim statement was filed on 15-5-06. Subsequently, the post of the Presiding Officer remained vacant after 24-7-06. After posting of Presiding Officer in the month of September, 2009, fresh notices were issued to both the sides but none appeared on behalf of both the sides.

3. On perusal of the record it further reveals that registered notices issued to Jagdish Chaddha, non-applicant on the address mentioned in the reference order were returned unserved thrice with the remark that no such person was found on the given address.

4. It also reveals from the record that the registered notice has been served upon the workman. The acknowledgment receipt of the registered notice is on the record. Despite service of the registered notice neither workman nor his representative has appeared.

5. Only claim statement of the workman is on the record. The workman has not appeared & adduced any evidence to substantiate his claim. It appears that the workman is not willing to contest the case further. Therefore “No Claim Award” is passed in this matter. The reference under adjudication is answered accordingly.

6. Award as above.

N. K. PUROHIT, Presiding Officer

नई दिल्ली, 13 दिसम्बर, 2010

का.आ. 126.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आईसीपी कम्पनी लिमिटेड, नोएडा के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, चन्डीगढ़ के पंचाट (संदर्भ संख्या 73/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-12-2010 को प्राप्त हुआ था।

[सं. एल-30012/50/2002-आई आर(एम)]

जोहन तोपनो, अवर सचिव

New Delhi, the 13th December, 2010

S.O. 126.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.73/2003) of the Central Government Industrial Tribunal/Labour Court,

Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of I B P Co. Ltd., Noida (UP), and their workman, which was received by the Central Government on 13-12-2010.

[No. L-30012/50/2002-IR (M)]
JOHAN TOPNO, Under Secy

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case I.D. No. 73/2003

Shri Roshan Lal Dhir, 126,
Vikas Vihar, Ambala City,
Haryana

... Applicant

Versus

The General Manager (NR)
I.B.P. Co. Ltd., Regional Office,
E-8, Sector 1, Noida (U.P.)

... Respondent

APPEARANCES

For the Workman : Shri S. P. Sharma.

For the Management : Shri N. K. Zakhmi.

AWARD

Passed on 3-11-2010

Government of India vide Notification No. L-30012/50/2002-IR(M), dated 22-04-2003 by exercising its powers under Section 10 of the Industrial Disputes Act (the Act in short) has referred the following industrial dispute for adjudication to this Tribunal :-

“Whether the action of the management of I.B.P. Ltd., Noida in dismissing Sh. Roshan Lal Dhir, workman from service is just and legal? If not, to what relief the concerned workman is entitled to and from which date?”

2. After receiving the reference parties were informed. Parties appeared and filed their respective pleadings. The case of the workman in nut shell is that he was engaged as Fitter, Grade-B, by the management by the appointment letter dated 1-09-1972. He was selected for placement in Grade-VI (Blue Collar) as Foreman technical w.e.f. 1-12-1991 vide order of dated 15-02-1992 of the management. He was charge sheeted vide letter dated 18-12-1992 for eight charges for disobedience and unauthorized absent of several occasions. The enquiry officer conducted ex-parte enquiry. He was not afforded the opportunity for cross-examine the witnesses. He was only permitted to join the enquiry proceedings. He was

given the opportunity of being heard in the departmental proceedings from 29-08-1998 but witnesses examining prior to the day were not recalled for cross-examination. Enquiry officer conducted the enquiry in lapse manner without affording the opportunity even to adduce defense evidence. No fair and proper enquiry was conducted against him. The principle of natural justice was violated at every stage of the enquiry proceedings. On the basis of the above, the workman has prayed for setting aside the enquiry proceedings and punishment awarded to him. He has also prayed for an order of his reinstatement with all consequential benefits.

The management appeared and opposed the claim of the workman by filing written statement. It was contended by the management that all possible opportunity for hearing was given to the workman. In spite of proper serving of summons to appear before the enquiry officer, the workman failed to ensure his presence and enquiry was ordered to be conducted ex-parte. It was only on 29-08-1998 that the workman has put his presence and opportunity for hearing was given to him. As the workman in spite of notice was not present on previous occasions, the witnesses, already recorded were not recalled for cross-examination. It does not violate the principle of natural justice because opportunity was given to the workman but he does not avail the opportunity.

The management has further contended that after affording the opportunity of proper hearing the punishment of dismissal from the services was awarded by the disciplinary authority which is not the proportionate punishment to the committed misconduct.

As per the settled law of service jurisprudence, the parties were directed to argue on preliminary issue on fairness of enquiry. Considering the facts and circumstances of the case, it was ordered by this Tribunal that issue of fairness of enquiry shall also be decided after affording the opportunity for adducing oral evidence along with other issues. Accordingly, evidence of both of the parties was recorded. Parties were heard at length. On perusal of the entire materials on record the charges levelled against the workman were as follows :-

1. Since you did not visit CDO on 14-03-1996 as per tour programme. SO, Bhatinda had asked for, inter alia, the reasons, vide his memo dated 20-03-1996, for not adhering to the tour programme. Instead of responding to him, you chose to inform Dy. Manager, Chandigarh vide your undated letter (received in CDO on 4-04-1996) that you had not gone to CDO as you had not agreed to do so and that is why you had not signed the said tour programme.

Subsequently, you were advised by Dy. Manager (S) on 22-03-1996, SO on 28-04-1996 and SDM vide his memo dated 05-08-1996 to visit CDO (on 19-08-1996). Since you did not comply with these instructions, SDM sought you

explanation vide his memo dated 6-09-1996. You were gain advised by Dy. Manager (S) vide his memo dated 25-09-1996, inter alia, to respond to SDM's memo dated 05-08-1996. Vide the said memo, you were again requested to visit CDO to discuss various issues relating to your work. In spite of repeated advices/instructions, oral as well as in writing, you failed to report at CDO till date.

2. You had toured Gidderbaha and Lambi ROs on 10-04-1996 without any tour programme issued by SO Bhatinda or prior intimation to SO.

3. You were given tour programme by SO on various dates such as on 07-09-1996, 16-09-1996, 21-09-1996, 23-10-1996 but you did not adhere to these tour programme with the result the maintenance of the units at various RO's got affected. In connection with the tour programme dated 7-09-1996, SO had asked for your explanation vide his memo dated 21-09-1996 but you have not clarified the reasons so far for not adhering to this tour programme.

4. You remained absent from you duties in an unauthorized manner for 27 days in May, 1996 (i.e. from 1-05-1996 to 27-05-1996) for which SDM had sought you explanation vide his memo dated 5-08-1996, followed by a reminder dated 6-09-1996 but you have not submitted you explanation so far. You explanation was also sought by SO vide his memo dated 16-06-1996 for not attending duty from 1-06-1996 to 15-06-1996. You were again reminded by Dy. Manager(S) vide his memo dated 25-09-1996 to expedite you explanation sought by SDM vide his memo dated 5-08-1996. Vide this memo, you explanation was also sought for your absence for 27 days in August 1996. Since you had not reported for duty from 6th to 12th and 16th to 20th Sept., 1996 your explanation was sought by SO vide his memo dated 21-09-1996.

The undersigned regrets to note that you did not respond to any of the above communications.

5. In order to discuss various issues relating to your work, another effort was made by Deputy Manager(S), AM(E) and SO when they visited you residence in the morning of 26-09-1996. But to their utter surprise, on their seeing you standing outside, you went inside your house and when so called for, you advised him that you would be coming out in a while as you were preparing for bath. After waiting for about 20 minutes, when SO again called for, you replied from inside that you would be meeting them in SO's office/residence but you did not turn up that day.

6. Since SO was required to be away from Bhatinda from 8th to 18th August, 1996 he had advised you to report for duty to Shri D. K. Garg, S & D Officer during the said period and take tour programme from him. Since you did not obey these instructions, SO Sought you explanation vide his memo dated 30-08-1996. Vide the said memo, you

were also to intimate about your whereabouts during the period from 8th to 28th August, 1996.

7. As per tour programme dated 16-10-1996, you were required to report to SO on 18-10-1996. Since you did not do so, your explanation was sought by SO vide his memo dated 23-10-1996, this explanation is still awaited.

8. You were advised by SO that an attendance register has been maintained in his office and that your attendance shall be marked on reporting the duty or on the basis of submission of Pump Maintenance Reports in case of tours. Since you did not follow these instructions, you were advised by SO vide his Regd. Post memo dated 5-11-1996 to submit PMRs by 9-11-1996 failing which you would be treated as absent from duty. Since you refused to received the said memo, the postal authorities returned the same with the remarks 'refused'. However, in order to expedite the matter, another memo dated 13-11-1996 was sent to you by Regd. Post wherein you were again requested, inter alia, to expedite submission of your PMRs for the month of October 1996.

Since you had reported for duty only on 5th to 6th November, 1996 you were also advised vide the above said memo to explain the reasons for not reporting for duty regularly.

On issue of fairness of enquiry, this Tribunal has not passed any order without recording the oral evidence because workman was not afforded the opportunity for cross-examination of witnesses recorded prior to his joining the enquiry proceedings by him on 29-08-1998. It is the settled principle of service jurisprudence that when an employee challenges the enquiry proceedings on the ground of violation of any principle of natural justice, he has to prove the prejudice caused to him for such violation. Proper opportunity was afforded by this Tribunal to the workman to prove prejudice caused to him before this Tribunal as per the provisions of the law. The workman was cross-examined on all the charges by learned counsel for the management and he has primarily admitted during cross-examination almost on all the charges with some explanations. Parties were also afforded to file the written arguments. I have also perused the written arguments of the parties.

As stated earlier the workman was duly served summons to attend the enquiry proceedings on 15-06-1998 at 10 A.M. The summons were served upon him on 11-06-1998. He has admitted the receiving of summons but failed to appear before the enquiry officer on pretext that summons should be send to him through proper channel. The purpose of issuing summons is to inform the workman to appear before the enquiry officer on the date and time mentioned in the summon. Proper information was there but the workman on technical ground that

information should come through proper channel abstained to appear before the enquiry officer. It was the proper information to the workman that enquiry is pending against them and he has been asked to present before the enquiry officer on 15-06-1998, but he failed. Accordingly, enquiry officer has rightly proceeded further and recorded the evidence of three witnesses. Thereafter, on 29-08-1998, workman put his appearance and after recording his statement he was permitted to join the enquiry from the stage of the enquiry. He was provided with the copies of the documents and he also perused the original documents lying in the enquiry file. He was given all possible opportunity of being heard by the enquiry officer and the disciplinary authority. The workman has challenged the enquiry proceedings on the ground that evidence recorded prior to joining the enquiry proceedings dated 29-8-1998 were not recalled and he may not cross-examine the witnesses. In my view no prejudice is caused to the workman for this act of the enquiry officer because before this Tribunal he has admitted almost all the charges with some explanations. Explanation to admission of charge has to be proved by the workman and not by the management.

The enquiry officer in his enquiry report dated 27-06-2000 held all the charges proved against the workman.

I have gone through the enquiry report and I am unable to digest the finding of the enquiry officer on Charge No. 5 regarding the disrespect shown to the seniors at the residence of the workman. If the seniors are visiting personally at the residence of a junior it is the social obligation of the workman to ask them to come in and sit down with cordial behavior. No legal obligation follows if the workman has not respected the officers at his residence. I am unable to understand what tempted the senior officers to visit the residence of junior officer, Shri Roshan Lal Dhir, and if he has not respected them at his residence no legal obligation can follow. It was an only social obligation which Shri Dhir has not recognized. The officer of the management had voluntarily undertaken the risk of misbehavior by a junior official. Moreover, from entire enquiry it has not been proved that Shri Dhir has spoken some hard words in an unhealthy way and filthy manner but he has not invited the officer to come in and has asked to wait till his bath. At the cost of the repetition, it is not insult in the legal term but may be termed as a social insult for which no legal action can be taken. Accordingly, Charge No. 5 stands not proved and it was the perversity of the enquiry officer for not perusal the correct facts on charge No. 5. Thus, the finding on charge No. 5, are set aside being perverse.

On rest of the Charges Nos. 1, 2, 3, 4, 6, 7 & 8 the charge stands proved because the same have also been

admitted before this tribunal with certain explanations. The same explanations were given by the workman during the departmental proceedings. The explanations given by the workman are not trust and worthy reliable. The disobedience of the orders of the seniors is established and proved even beyond doubt. The explanations given by the workman are excuses which cannot be considered by the Tribunal in case of administrative in action and laxity. The workman was guilty of administrative in action and laxity. The cumulative affect of the charges proved that his adamancy prompted him to violate the lawful orders and directions of the seniors which is not desirable in any institutions, rather it is fettle for the proper business of any Organisation. Discipline is the backbone of any institution. We cannot imagine any work culture without discipline. At all cost discipline has to be maintained. Accordingly, the enquiry officer has rightly held the rest of the charges to be proved.

The disciplinary authority has also afforded all possible opportunity of being heard to the workman before awarding punishment. The only question remains whether the punishment awarded to the workman is proportionate to the committed misconduct? The consequential question arises whether it is the fit case to exercise jurisdiction vested in this Tribunal by Section 11A of the Industrial Disputes Act? Section 11A of the Industrial Disputes Act empowered this Tribunal to exercise its jurisdiction on quantum of punishment if the punishment awarded to the workman is dismissal or discharge. The workman was dismissed from the services on his disobedience to the senior officers. It is the settled law of service jurisprudence that jurisdiction under Section 11A should be sparingly exercised by the Tribunal to prevent miscarriage of justice. This jurisdiction can be invoked and exercised in exceptional cases to prevent of glaring injustice to the workman.

On the one hand it is the disobedience of orders and unauthorized absent by the workman and on the other hand the punishment is dismissal from the services. It is true that it is not only one charge of disobedience, there are several as more as six charges of disobedience and one charge of unauthorized absent. But the Tribunal should not also undermine the facts of dismissal of the workman from the services. Dismissal from the services is a socio-economic death of the workman which not only affects his status in the organization but the social status in the society along with the future prospects and status of family members. Considering the nature of charge proved against the workman, I am of the view that punishment of dismissal was harsh one and it should have been lesser, moderate and modified punishment. The intention of the management was to see off such a workman from the department who commits the act of

indiscipline regularly and repeatedly. This intention is appreciable but with this intention some moderate and lesser punishment the dismissal was justified. The workman could have shown the way out from the organization by a moderate punishment of compulsory retirement from the services. There was no legal bar to pass an order of the compulsory retirement as the workman by the day of awarding the punishment of dismissal from the services has completed 27 years of services with the department. The workman should not undermine these 27 years of services while awarding the punishment. Accordingly, after considering the facts and circumstances of the case, nature of misconduct, and nature of punishment awarded to the workman and the affects and consequences of the punishment awarded to the workman, I am of the view that instead of punishment of dismissal from the services, compulsory retirement should have been the appropriate punishment. If the punishment of dismissal from the services is substituted by punishment of compulsory retirement the purpose behind awarding the punishment by the management is also fulfilled.

Accordingly, on the basis of the above observations, I am of the view that it is a fit case of exercising jurisdiction under Section 11 A of the Industrial Disputes Act because the punishment of dismissal awarded to the workman in my view is a glaring injustice on account of the fact that workman has served the department most for 27 years. Thus, by exercising the jurisdiction and powers under section 11 A of the Act, I am substituting the punishment of dismissal from the services by the punishment of compulsory retirement. The workman shall be deemed and considered to be a compulsory retired from the services from the date of passing the punishment order by the disciplinary authority. The workman will be entitled for all the post retirement benefits. Accordingly, the management is directed to pay the post retirement benefits to the workman within one month from the date of publication of the award. The reference and industrial dispute is accordingly answered. Let Central Government be approached for publication of the award, and thereafter, file be consigned to record room.

Chandigarh.

Dated: 3-11-10

G. K. SHARMA, Presiding Officer

नई दिल्ली, 13 दिसम्बर, 2010

का.आ. 127.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार अंकुर माइनिंग प्रा. लि., जयपुर के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जयपुर के पंचाट (संदर्भ संख्या

39/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-12-2010 को प्राप्त हुआ था।

[सं. एल-29012/48/2006-आई आर(एम)]

जोहन तोपनो, अवर सचिव

New Delhi, the 13th December, 2010

S.O. 127.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 39/2007) of the Central Government Industrial Tribunal/Labour Court, Jaipur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Ankur Mining Pvt. Ltd., Jaipur and their workmen, which was received by the Central Government on 13-12-2010.

[No. L-29012/48/2006-IR (M)]

JOHAN TOPNO, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JAIPUR

PRESENT : N. K. PUROHIT, Presiding Officer

I.D. 39/2007

Reference No. L-29012/48/06-IR(M)

dated : 15-5-2007

Shri Vimal Singh
Through Shri Sitaram Gupta
Mazdoor Maidan, Old Power House
Near Ram Mandir, Banipark, Jaipur

V/s

The Manager,
Ankur Mining Pvt. Ltd.
Gehlot Bhawan, New Colony,
Near Panch Batti, Jaipur.

AWARD

26-11-2010

1. The Central Government in exercise of the powers conferred under clause (d) of sub-section 1 & 2(A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following Industrial dispute to this tribunal for adjudication which runs as under :—

“ Whether the action of the management of M/s. Ankur Mining Pvt. Ltd., Jaipur in terminating the services of Shri Vimal Singh, Welder w.e.f. 4-2-2005 is legal and justified? If not, what relief the workman is entitled to and from which date?”

2. Pursuant to the receipt of the reference order, the registered notices were issued to both the parties. The notice issued to non-applicant has been returned with remark "left" and none has appeared on behalf of non-applicant.

3. The notice issued to the workman on address mentioned in the reference order has been served upon him. The acknowledgement receipt is on the record. Despite service of registered notice, none appeared on behalf of the workman. Under such circumstances the case was reserved for passing Award.

4. Since the workman has neither appeared nor filed any claim therefore, there is no material on record to adjudicate the reference under consideration on merit. It appears that the workman is not willing to contest the case further. Therefore "No Claim Award" is passed in this matter. The reference under adjudication is answered accordingly.

5. Award as above.

N. K. PUROHIT, Presiding Officer

नई दिल्ली, 13 दिसम्बर, 2010

का.आ. 128.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार डब्ल्यू सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार एवं औद्योगिक अधिकरण/श्रम न्यायालय नागपुर के पंचाट (संदर्भ संख्या 13/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-12-2010 को प्राप्त हुआ था।

[सं. एल-22012/110/2008-आई आर (सी एम II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 13th December, 2010

S.O. 128.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.13/2009) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute between the management of Central Workshop of Wani Area, Tadali and their workmen, received by the Central Government on 13-12-2010.

[No. L-22012/110/2008-IR (CM-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE SHRI J. P. CHAND, PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/13/2009

Date : 2-12-2010

Petitioner/ : The Secretary,

Party No.1

Koyla Shramik Sabha (HMS),
CWS Tadali Branch, At/PO
Tadali, Distt. Chandrapur,
Chandrapur.

Versus

Respondent/
Party No.2

The General Manager,
Central Workshop of Wani
Area, Tadali, Western
Coalfields Ltd., At/PO Tadalia
Dist, Chandrapur,
Chandrapur.

AWARD

(Dated: 2nd December, 2010)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of Central Workshop of Wani Area, Tadali of WCL ("WCL" in short) and their workman, Shri Nilkanth Dhuke ("the workman" in short) for adjudication, as per letter No. L-22012/110/2008-IR(CM-II) dated 24-03-2009, with the following schedule :—

"Whether the action of the management of Central Workshop Tadali of WCL in denying promotion to Sri Nilkanth Dhuke, EP Fitter is legal and justified? To what relief is the workman concerned represented through the Union entitled and from which date?"

2. In this case, the reference was received by this Tribunal on 3-4-2009 and the case was initiated on 9-4-2009 and notices were issued to both the parties for filing their respective statement of claim and written statement. On 27-5-2009, the respondent appeared through their advocate and the case was adjourned to 20-8-2009 for filing statement of claim. However, the petitioner, in this case, neither appeared nor filed his statement of claim till 23-9-2010. The respondent also remained absent after 27-5-2009. So, on 23-9-2010, in the interest of justice, a last chance was given to the petitioner to file the statement of claim and the case was posted to 30-11-2010 for filing statement of claim. In spite of giving such a scope to the petitioner, no statement of claim was filed by him. On 30-11-2010, the respondent also did not appear. As from the record, it was found that the parties are not interested to proceed with the case, the case was closed and was fixed for passing award.

3. As no statement of claim or any other materials have been filed, there is no other alternative for the Tribunal except passing of an order of no dispute award. Hence, it is ordered:

ORDER

The case be treated as “no dispute award”, due to the default of the parties.

J. P. CHAND, Presiding Officer

नई दिल्ली, 13 दिसम्बर, 2010

का.आ. 129.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं एन. पी. सी. आई. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जयपुर के पंचाट (संदर्भ संख्या 96/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-12-2010 को प्राप्त हुआ था।

[सं. एल-42012/202/2004-आई आर(सीएम-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 13th December, 2010

S.O. 129.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 96/05) of the Central Government Industrial Tribunal-cum-Labour Court, Jaipur as shown in the Annexure in the Industrial Dispute between the management of NPCIL, and their workmen, received by the Central Government on 13-12-2010.

[No. L-42012/202/2004-IR (CM-II)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT,
JAIPUR**

PRESENT

N. K. PUROHIT, Presiding Officer

I.D. 96/05

Reference No. L-42012/202/2004-IR(CM-II)

dated : 4-8-2005

The General Secretary
Rajasthan Anushakti Pariyojna Karmchari Union
(INTUC), INTUC Office, Pratap Circle,
POL Bhabhanagar, Rawatbhata, Kota (Raj.)

V/s

The Site Director,
RAPS I to 4, NPCIL
PO : Anushakti, Rawatbhata,
Kota (Raj.)

AWARD

26-11-2010

1. The Central Government in exercise of the powers conferred under clause (d) of sub-section 1 & 2(A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following Industrial Dispute to this tribunal for adjudication which runs as under :—

“Whether the action of the management of RAPS I to 4 NPCIL, Rawatbhata (Raj.) in changing method of calculation of electric charges from its employees w.e.f. 1-4-2001 is legal and justified? If not, to what relief the employees are entitled to and from which date?”

2. The applicant union has pleaded that on withdrawal of project allowance, certain project concessions including free units of electricity and subsidy beyond free electricity units were sanctioned to the employees posted at RAPS vide DAE's O.M. dated 16-11-74 (Annexure 1). Subsequently, a notice dated 18-2-99 u/s 9A of the Industrial Disputes Act was served to effect the change specified therein in condition of service and vide O.M. No. RAPS/9000/PD/S/1356 dated 9-4-99 the management has modified and withdrawn certain concessions including subsidy beyond free electricity limits granted vide DAE's O.M. dated 16-11-74. The union has further pleaded that earlier the employees working under PPED under the Atomic Power Department were en masse transferred on deputation to the Nuclear Power Corporation of India Ltd. (NPCIL) and such employees were given an offer of absorption in the NPCIL. It was assured at the time of option that there will be better prospects for the employees of the NPCIL. The union has also pleaded that the CGIT, Surat has held the action of the NPCIL, Kakrapar Atomic Power Station withdrawing the concession including subsidy beyond free electricity unit as unjustified and an appeal against the said award is still pending in the Gujarat High Court.

3. Thus, the union has prayed that the project concession regarding subsidy beyond free electricity units made available under the DAE's O.M. dated 16-11-74 be continued and calculation of electricity charges should be made as per the State Electricity rates after excluding the free units and the subsidy units and relief be provided w.e.f. 1-4-2001.

4. Resisting the claim made by the union, the management has averred in their reply that on withdrawal of project allowance certain project concession were sanctioned to the employees vide DAE's O.M. dated 16-11-74. The said project concession were initially sanctioned due to lack of certain necessary facilities to the employees who were working at construction projects. As per said O.M. certain free electricity units and subsidy up to 100

units were granted as project concessions. Subsequently, the employees working under PPED were en masse transferred to NPCIL vide O.M. dated 4-9-1987 and it was decided that concessions like free supply of electricity upto certain units etc. will be given to such employees as per orders of the Atomic Power Department. The management has further averred that the pay scales of employees have been revised as per the recommendation of the 3rd, 4th and 5th pay commissions and all atomic power projects had been implemented and all basic facilities were also made available to the employees of the Atomic Power Stations during period from 1974 to 1998. Therefore, in view of above factual backdrop it was decided to modify the project concessions given under DAE's O.M. dated 16-11-74. Accordingly, the DAE vide their O.M. No. 2/33/97-303-1139 dated 30-11-98 have modified certain concessions and withdrew certain project concessions including subsidy beyond free electricity units. In pursuance of the DAE's O.M. 30-11-98 the NPCIL had also withdrew project concessions sanctioned to the project based employees of the DAE/NPCIL vide order RAPS/9000/DD/S/1356 dated 18-2-99 and as regard the employees covered under section 9-A, notice under said section of the Industrial Dispute Act was given to all registered unions.

5. It has been further averred that an Industrial Dispute was raised by the union before the ALC (C), Kota. On failure of the conciliation proceedings the same was intimated vide letter dated 1-12-99. But the Central Government decided not to refer the matter for adjudication vide order dated 22-2-2000. Moreover, in O.A. 84/99 & 86/99 the CAT, Jodhpur Bench has held the impugned order dated 30-11-98 as justified vide its order dated 5-10-99. The above order was challenged in writ petition 4617/99 but the said writ petition was dismissed at admission stage on 27-2-2002. A civil suit No. 22/2001 was also filed by the union before civil judge (L.D.), Rawatbhata. The temporary injunction application filed in the said suit was rejected vide order dated 28-6-2000 and appeal against the said order filed before ADJ, Chittorgarh was also rejected vide order dated 6-9-2001. Ultimately the suit was also dismissed on default on 28-11-2003.

6. The management has further pleaded that the Union has again raised the present dispute before ALC (C), Kota despite knowing this fact that O.M. dated 1-5-2003 has been issued in pursuance of DAE's O.M. dated 30-11-98, NPCIL's circular dated 10-2-99 and after issuing notice u/s 9A of the I.D. Act. The management has submitted that the calculations of electric charges are being made as per model calculation. Therefore, the claim of the union deserves to be rejected.

7. The management has also raised objection regarding maintainability of the claim on the basis of principles of res judicata.

8. In rejoinder, apart from reiterating earlier averments made in the claim statement, the union has also pleaded that the customary concessions available to the employees cannot be abolished after such a long period of 26 years. The DAE's orders were applicable only up to 31-12-97. After absorption of the employees in NPCIL, the service conditions of the NPCIL were applicable upon the optees. The union has alleged that the DAE's order dated 30-11-98 regarding withdrawal of project concession to the NPCIL's employees is arbitrary and unjustified. Moreover, after the NPCIL came into existence the order of the DAE is not applicable on the employees of the NPCIL.

9. Upon perusal of the proceedings it reveals that on 2-5-2006 an affidavit of the General Secretary of the union was filed in support of the claim and the case was adjourned for cross-examination on the said affidavit for next date i.e. 11-7-2006. It appears from the subsequent proceedings that the post of the Presiding Officer remained vacant for a long period. Thus, after posting of the Presiding Officer, fresh notices were issued to both the parties, but despite service of registered notices, none appeared on behalf of both the parties. Under such circumstances, the reference under adjudication is to be answered on the basis of admitted facts in the pleadings and undisputed documents on the record.

10. The union has filed annexure-1 to annexure-7 and the management has filed annexure-1 to annexure-16 in support of their respective case. Upon perusal of the pleadings of both the sides and documents on record, it is evident that the documents as well as facts are almost undisputed. The dispute seems to be regarding withdrawal of the subsidy beyond free electricity units and method of calculation of electric charges w.e.f. 1-4-2001.

11. It is an admitted fact that while withdrawing the project allowance some concessions including free electric supply up to certain units and subsidy beyond free units up to 100 units were provided to the employees concerned vide DAE's O.M. dated 16-11-74. Up to the following limit concession of the free supply of electricity was given to the employees in the corresponding pay scales :-

Pay up to 299 p.m.	30 units
Pay between 300 to 799 p.m.	45 units
Pay between 800 to 1299 p.m.	60 units
Pay 1300 and above	75 units

12. The said DAE's O.M. dated 16-11-74 further envisages as under:-

"This concession will be admissible to RAPP employees in addition to the existing concession under which for electricity up to 100 units charges at a subsidized rate are payable by them. In other words, while for units up to the limits mentioned at (III) above

they will not have to pay anything; for excess units up to a ceiling of 100 units a concessional rate equal to the rate presently in force at Bombay (21 paise) will be charged."

13. It is also mentioned in the said O.M.; "As amenities, for the lack of which Project Allowance was initially sanctioned, have already been provided at all aforementioned project sites, continuance of this allowances can no longer be justified." It is further mentioned; "a total withdrawal of project allowance will cause hardship to employees who have been receiving this allowance for quite some time. In order to alleviate to a certain extent the hardship caused thereby the project concessions have been sanctioned to the employees concerned."

14. It is an admitted fact that vide O.M. No. 2/33/97-SCS/1130 dated 30-11-98, the DAE have modified the project concessions and also withdrew certain concessions including subsidy beyond free electricity units as under :-

"No subsidy beyond the free units of electricity provided for in the concession. Domestic rates prevalent in the local areas should be charged for electricity consumption over and above the free units from the respective categories of employees."

15. It also appears from perusal of the record that in line with the above instruction received from the DAE it was decided to implement the above order of the DAE in the NPCIL where project concessions were granted based on the DAEs orders from time to time. Vide order No. BBPIR/3215/N-104 dated 10-2-1999, it was also decided that so far as the workmen in the RAPS is concerned, the above orders can be implemented after issuing requisite notice of change of service conditions under the Fourth Schedule of Section 9A of Industrial Disputes Act, 1947. Accordingly a notice u/s 9A of I.D. Act was issued to all union concerned to effect the change specified in the enclosed annexure w.e.f 12-3-99 in the condition of service applicable to the workmen concerned.

16. In pursuance of the O.M. dated 30-11-98, the Nuclear Power Corporation (NPC) issued a circular RAPS/0900/pd/99/S/1356 dated 9-4-99 wherein it is mentioned; "as regards the workmen of RAPS (both absorbees and direct recruits), as soon as the conciliation proceedings are completed, the order will become implementable with effect from the said date, the notification of the same shall be issued separately."

17. The DAEs O.M. dated 26-12-2002 (annexure 17) regarding reviewing of electricity charges sanctioned to the project based employees of DAE is on the record wherein uniform methodology for calculation of electricity charges has been suggested.

18. The NPCIL's order no. RAPS/M(P&IR)/2003/S/244 dated 1-5-2003 is also on record which pertains to recovery of electric charges from employees at revised rates w.e.f. 1-4-2001. The relevant portion is as under:-

"In supersession of all previous orders on the subject, the electricity charges (Running charges) w.e.f. 1-4-2001 to be paid by the NPCIL/DAE employees who are residing in RAPS residential accommodation, shall be based on the actual units consumed minus free units at the present rates i.e. @ 1.95 per unit up to 50 units and @ Rs.3.00 per unit above 50 units or at the rates time to time notified by RSEB."

19. In above admitted factual background, it is to be seen whether the action of the management of RAPS, Rawatbhata in changing method of calculation of electric charges from its employees w.e.f 1-4-2001 is legal & justified?

20. The union has contended that the calculation should not be as per model calculation as envisaged in the order dated 1-5-2003. The case of the union is that after excluding free electricity units and after taking into consideration the subsidy beyond free units up to 100 units RSEB slab rates for electricity consumption should be applied while calculating the electric charges whereas the contention of the management is that subsidy beyond free electric units has been withdrawn therefore, the electricity charges to be paid by NPCIL employees shall be based on the actual units consumed minus free units at the present rates notified by the RSEB.

21. Though in the present reference under adjudication it is to be adjudicated whether method of calculation of electric charges from its employees w.e.f. 1-4-2001 is justified, but for this it is necessary to consider whether withdrawal of subsidy beyond free unit is unjustified. If withdrawal is justified than method of calculation of electric charges excluding subsidy units cannot be said to be unjustified.

22. It is an admitted fact that an award passed by the CGIT, Surat in ITC No. 32/99, the question regarding withdrawal of subsidy beyond free units was also under consideration. In the said award withdrawal of concession of electricity including subsidy free electricity has been held unjustified. Admittedly, against the said award writ petition in the Gujrat High Court is still pending.

23. It is pertinent to mention that in O.As No.84/99 & 86/99 the impugned order dated 15-3-99 regarding withdrawal of the project concessions sanctioned to the project based employees of the DAE was challenged by the Union concerned therein while considering the withdrawal of subsidy beyond free electricity units the

Central Administrative Tribunal, Jodhpur Bench has observed as under :—

"In the year 1974, 30, 45, 60 and 75 units of electricity were allowed free to the employees of various pay scales. In the corresponding new pay scales corresponding number of free units have been allowed but prevailing R.S.E.B. electricity rates have been ordered to be charged for excess consumption, which it is said, were being charged at a very nominal rate initially. While judging this factor one should not lose sight of that everything has become costlier everyday. The earlier concession of nominal rate was as per then prevailing monetary value and present revision in this respect in charging prevailing rate of electricity is as per the prevailing monetary value and considerably much higher pay of the employees. Therefore, the imposition of condition of charging prevailing R.S.E.B. rate of the unit for electric consumption over and above the free units cannot be categorized as unjust."

24. The said order of the CAT was challenged before the Rajasthan High Court in D.B. civil writ petition No.4617/1999 but the said writ petition was dismissed on 27-8-2002 with following observation :—

"there is no ground to interfere with the decision of the Central Administrative Tribunal."

25. Thus, Hon'ble Rajasthan High Court has affirmed the view taken by the Central Administrative Tribunal in this regard in O.As No. 84/99 & 86/99 vide order dated 15-3-99.

26. It is pertinent to mention that in award passed in I.T.C. No. 32/99 inter alia the question regarding withdrawal of subsidy beyond free units was also under consideration before the CGIT, Surat. The CGIT, Surat has held the action of Nuclear Power Corporation of India Ltd., Kakrapar Atomic Power Station regarding withdrawal of the project concessions including subsidy free electric limits unjustified. It is also pertinent to mention that the objection regarding maintainability of the reference before the said Tribunal on the basis of principle of res-judicata was also raised by the union concerned. While rejecting the plea the Tribunal has observed as under :—

"There was no complaint or dispute before it between NPCIL or its projects in Gujarat and CAT has not taken up proceedings or discussed the issue connected with such establishments, it has only discussed projects near Kota, Heavy water plant near Rawatbhata, it discusses about development and circumstances around those projects, It has not discussed about projects at Anumala, Kakrapar in

Gujarat, situation adjoining in its vicinity, conditions of workers there, that is judgment does not pertain to same parties on the same dispute and therefore, the principle of res-judicata is not applicable. It is also to be noted that judgement given by CAT, Jodhpur under some other Law cannot take away powers of this Tribunal to decide matters under the I.D. Act, Not only this matter which may be legal and appropriate under one Act in one state may be illegal and improper in another state for other parties. Therefore, objection of the 1st party cannot hold good. The 1st party has also stated that keeping in mind the orders of the CAT, Rajasthan, Ministry of Labour, GOI on the premise that principle of res judicata hits, such disputes has not referred the dispute for adjudication. If we examine this point it is seen that the parties raising disputes were from Rajasthan, and the party before CAT and the dispute was the same, therefore, it was not referred for adjudication. The present reference before this Tribunal is not like that, parties are from Gujarat, Area is Gujarat organization and workmen are from Gujarat they are governed by the I.D. Act and no forum has passed judgement for them under the Act, both the matters are not same and it is necessary to make reference in this matter, taking into all these factors orders of CAT, Rajasthan does not come in the way."

27. In present matter, admittedly, the management has not withdrawn the concession of free units available to the employees concerned. Only subsidy beyond free units i.e. concession rate of @ 21 paisa per unit up to 100 units has been withdrawn and the said withdrawal of subsidy has been held justified vide order dated 15-3-99 passed by the CAT, Jodhpur Bench in O.As 84/99 and 86/99 and view taken in the said O.As has been affirmed by Hon'ble Rajasthan High Court in writ petition No. 4617/99 vide order dated 27-8-2002. Therefore, view taken by the CGIT, Surat regarding withdrawal of aforementioned subsidy is not acceptable.

28. Since, the withdrawal of subsidy beyond free electric units has been held justified by Hon'ble Rajasthan High Court in the aforementioned writ petition 4617/98, the calculation of electricity charges on the basis of actual units consumed minus free units at rates notified by the RSEB is not unjustified. Therefore, the action of the management of RAPS 1 to 4 NPCIL, Rawatbhata in changing method of calculation of electric charges from its employees w.e.f. 1-4-2001 is legal and justified. The reference under adjudication is answered accordingly.

29. Award as above.

N. K. PUROHIT, Presiding Officer

नई दिल्ली, 14 दिसम्बर, 2010

का.आ. 130.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार उत्तर रेलवे के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, लखनऊ के पंचाट (संदर्भ संख्या 60/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-12-2010 को प्राप्त हुआ था।

[सं. एल-41012/22/2003-आईआर(बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 14th December, 2010

S.O. 130.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 60/2003) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Northern Railway and their workmen, received by the Central Government on 13-12-2010.

[No. L-41012/22/2003-IR (B-1)]

RAMESH SINGH, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

PRESENT

Dr. Manju Nigam, Presiding Officer

I. D. No. 60/2003

Ref. No. L-41012/22/2003-IR (B-1) dated : 30-05-2003

BETWEEN

Shri Amrit Lal S/o Shri Mangal
Village-Tigai Jalalpur, Post-Govindpur Goriya Distt.
Koshambi, Uttar Pradesh.

AND

1. The Divisional Railway Manager, Northern
Railway, Allahabad (U. P.)-211006

2. The Asstt. Signal and Telecom Engineer, Northern
Railway, Tundla.

3. The Divisional Engineer (Signal/D), Northern
Railway Etawa.

AWARD

26-11-2010

1. By order No. L-41012/22/2003-IR (B-1) dated : 30-05-2003 the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this

industrial dispute between Shri Amrit Lal S/o Shri Mangal, Village-Tigai Jalalpur, Post-Govindpur Goriya, Distt. Koshambi, Uttar Pradesh and the Divisional Railway Manager, Northern Railway, Allahabad and the Asstt. Signal and Telecom Engineer, Northern Railway, Tundla and the Divisional Engineer (Signal/D), Northern Railway, Etawa for adjudication.

2. The reference under adjudication is :

"KYA MANDAL RAIL PRABANDHAK, UTTAR RAILWAY ALLAHABAD DWARA KARMKAAR SHRI AMRIT LAL ATMAJ SHRI MANGAL KHALASI KO DINANK 9-11-2000 SE SEWA SE NISHKASIT KARNA NYA YO CHIT HAI? YADI NAHI TO SAMBANDHIT KARMKAAR KIS ANUTOSH KA HAKDAAR HAI?"

3. It is admitted case of the parties that the workman, Amrit Lal was appointed as Khalasi on 20-08-1980 on permanent basis at Rura under Senior Section Engineer (Signal), Etawah and he was served upon a charge sheet dated 17-10-98 by the Disciplinary Authority for unauthorized absence w.e.f. 24.04.96. The Enquiry Officer after conducting the enquiry submitted his enquiry report before the Disciplinary Authority who imposed punishment of removal from railway services upon the workman vide impugned order dated 09-11-2000. Aggrieved from said punishment order the workman preferred an appeal before Appellate Authority, which was dismissed vide appellate order dated 08-05-2001.

4. The workman in his statement of claim has alleged that the Enquiry Officer concluded the enquiry without affording any opportunity for defence to the workman; likewise the objections raised by him, in reply to the show cause notice, were not taken into account by the Disciplinary Authority, while imposing penalty of removal upon him; accordingly, same is against the principles of natural justice. The workman has also alleged that the Appellate Authority while rejecting his appeal, without going into the merit of the disciplinary enquiry, has passed an unreasoned and non-speaking order; and accordingly, he has prayed that impugned orders dated 09-11-2000 be set aside, after declaring illegal and the workman be reinstated with full back wages and continuity in service.

5. Per contra, the management of the Railways has denied the allegations of the workman and has submitted that the departmental enquiry was conducted in accordance with the principles of natural justice, giving full and proper opportunity to the workman to defend himself and there was nothing illegal with it. It has also submitted that the order passed by the Disciplinary Authority and Appellate Authority are justified and based on merit of the case and accordingly, has prayed that the claim of the workman be rejected without any relief to the workman.

6. The workman has field rejoinder whereby he has only reiterated his averments in the statement of claim and has introduced nothing new.

7. The parties filed documentary evidence in support of their respective cases. On the plea of the workman that he was not allowed proper opportunity to defend himself, following preliminary issue was framed on 07-12-2005:

1. Whether the enquiry officer has not afforded the opportunity to the worker to defend the case as alleged by the worker.

8. After framing the issued the parties were given ample opportunity to give their evidence in support of their respective versions; but both of the parties failed to avail the same; and accordingly, the Tribunal passed following order on above mentioned issue:

“On the discussions above I come to the conclusion that the worker has failed to discharge the burden that he was not allowed opportunity to defend himself for the charge alleged. Issue is therefore, decided against the worker.”

9. Accordingly, the next date i.e. 07.01.2008 was fixed for evidence, and parties were intimated of the same by registered post. The workman once again failed to produce its evidence on various dates; and accordingly, the case was ordered to proceed ex-parte against the workman on 29-01-2009. Similarly, when the management did not adduce any evidence, the case was ordered to proceed ex-parte against the management and 11-11-2009 was fixed for arguments. The workman filed its written arguments whereas the management did not file any; however, none of the parties availed opportunity of oral submissions. After, lapse of several dates for oral arguments, the case was reserved for award.

10. The workman remained absent before Enquiry Officer. He also did not turn up to adduce evidence in support of his version that he was not afforded proper opportunity to defend himself; but he refrained to do so. This fact is well corroborated by the Presiding Officer's finding while deciding the preliminary issued vide dated 29.10.2007, which reads as under:

“After framing issues the court proceeded for collecting evidence of the parties on the aforesaid issue but the worker did not turned up for evidence. In the circumstances on 11-7-06 the court ordered the worker to file the evidence in the form of affidavit in support of his case and present himself for cross examination. The court also warned that no further opportunity shall be given but the worker remained absent and therefore on 11-8-06 the court ordered the case to proceed ex-parte against the worker.”

The above finding of the Presiding Officer reveals deliberate avoidance of the workman to adduce evidence.

11. Likewise, when workman was expected to plead that the punishment of dismissal was disproportionate to the misconduct committed by him, he again showed his negligence; and just filed a written argument, which cannot be termed as supplement to the expectations from the workman.

12. It is admitted that the workman was dismissed vide impugned order dated 09-11-2000 after conducting departmental enquiry, which was conducted ex-parte due to non-participation of the workman in said departmental proceedings. When the workman raised the present industrial dispute it was incumbent upon him to come forward with cogent evidence to prove that the departmental enquiry was conducted against settled principles of natural justice and he was not given proper opportunity to defend himself; and also in the event of holding, the enquiry to be fair and proper, by this Tribunal it was expected from the workman to plead that the punishment of dismissal was harsh and adduce evidence in support thereto. But the workman has failed to discharge his burden.

13. The workman has not adduced any evidence in support of his case; neither in support of his averment that the enquiry was unfair nor he challenged the quantum of punishment. On the other hand the case of the management that the enquiry officer afforded the opportunity to the workman to defend himself and the same was conducted fairly stands proved; and accordingly, there appears no justification to interfere with the punishment inflicted upon the workman by the management by the impugned order.

14. The case was proceeding ex-parte against the workman and there is neither any pleading nor evidence of the workman that the punishment order is wholly disproportionate or he deserves any lesser punishment.

15. Therefore, in view of the above discussions, the action of the railway administration to dismiss the workman from services vide impugned order dated 09-11-2000 does not appears to be unjustified. Resultantly, the workman is not entitled to any relief.

16. The reference is answered accordingly.

17. Award as above.

Lucknow

26-11-2010

Dr. MANJU NIGAM, Presiding Officer

नई दिल्ली, 14 दिसम्बर, 2010

का.आ. 131.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट

बैंक प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. II, चण्डीगढ़ के पंचाट (संदर्भ संख्या 678/2के5) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-12-2010 को प्राप्त हुआ था।

[सं. एल-12012/375/2001-आईआर(बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 14th December, 2010

S.O. 131.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 678/2K5) of the Central Government Industrial Tribunal-cum-Labour Court-II, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, received by the Central Government on 13-12-2010.

[No. L-12012/375/2001-IR (B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM LABOUR COURT-II, CHANDIGARH.

Present: Sri A.K. Rastogi, Presiding Officer

Case No. I.D. 678/2K5

Registered on 25-08-2005

V. K. Miglani S/o. Shri H.B. Miglani, R/o H. No. 617, Sector 12, Panchkula (Haryana)

... Applicant

Versus

The Asst. General Manager, State Bank of India, Region-I, Zonal Office, Chandigarh-160017

... Respondent

APPEARANCES

For the workman : Sh. Raj Kaushik, Advocate

For the Management : Sh. S.K. Gupta, Advocate.

AWARD

Passed on 03 December, 2010

Central Government vide Notification No. L-12012/375/2001-IR(B-I) Dated 25/01/2002, by exercising its powers under Section 10 Sub-section (I) Clause (d) and Sub-section 2(A) of the Industrial Disputes Act, 1947 (hereinafter referred to as Act) has referred the following Industrial dispute for adjudication to this Tribunal :—

“Whether the action of the Assistant General Manager, State Bank of India, Region-I, Haryana Zone in removing Shri V. K. Miglani, Ex- Clerk-cum-Cashier from his services is justified? If not, what relief is the workman entitled?”

The facts of the case are — the claimant/workman was employed as Clerk-cum-Cashier at the relevant time, at Panchkula Branch of the State Bank of India. He was charge-sheeted for attempting to withdraw a sum of Rs. 5,000 from Saving Bank Account No. 17145 of Shri Sushil Kumar. During enquiry the workman made a confessional statement whereupon the Enquiry Officer recorded a finding of proof of guilt against the workman. The disciplinary authority issue a Show Cause Notice proposing a punishment of removal from service and after considering the reply of the workman and after giving him personal hearing the punishment order of removal from the service was passed.

The workman has raised an industrial dispute by stating that on the relevant date the customer had approached him for withdrawal of funds from his account whereupon the workman had filled a voucher for Rs. 5000 and the customer had signed it. The latter obtained a token from the workman and the workman after completing the formalities of posting the withdrawal in the ledger sent the voucher to the passing officer, who after verification of the signatures passed the withdrawal for payment. Withdrawal was then sent to the Cashier for payment but despite repeated calls the customer did not turn up to receive the payment and the withdrawal in question was deleted from the books of the bank including Ledger and passing scroll of the passing officer. Regarding his confessional statement, the workman has alleged that he had met with an accident on 04-05-1996 and was not in a fit of statement of mind at the time of enquiry. Enquiry Officer and the Presenting Office persuaded him to admit the charge on the assurance that no major penalty will be imposed on him. He was not warned that in the eventuality of admission he may be removed from the service. The Enquiry Officer dispensed with the further enquiry without recording any evidence. The allegation of the workman is that there was no complaint from the customer and he has been victimized because during his tenure as a Secretary of S.B.I. Staff Association from 1993 to 1996 he had earned the wrath of the local management by seeking redressal of grievances of the fellow workman. He had acted just to assist the customer in filling the withdrawal form and had performed his duties in good faith but the management took it otherwise and initiated disciplinary proceedings against him. In reply to the Show Cause Notice he had raised objection against the enquiry and confessional statement and had requested for a fresh enquiry but the disciplinary authority rejected his plea and passed the impugned order. His appeal against the removal order also failed. The punishment order is without any evidence including that of any expert. The management acted on his confessional statement though he had denied the charge in his reply to the Charge-sheet. Charge-sheet itself was vague and undefined. The workman has asked for setting aside the order of removal and has requested for

his reinstatement with full back wages and consequential benefits.

In its reply the management has stated that the workman has admitted the charge and the punishment order was passed into *ralia* on the basis of departmental proceedings and other material on record. The story put up by the workman is an afterthought. He had forged the signatures of the customer on the withdrawal form and was caught on the spot during the process of passing and verification of the signatures. There was no persuasion or assurance to obtain the confessional statement of the workman and had made it of his own will and accord and since he had admitted the charge, there was no need for further enquiry and the charge was treated as proved. The management had denied that the workman has been victimized on account of his Trade Union activities. The charge against the workman was specific and so was his admission. At the time of personal hearing also the workman had accepted the charge while requesting for taking a lenient view and in view of his admission there was no need for the production of the account holder or handwriting expert. The workman is not entitled to any relief.

The following issues arise for consideration in this matter:-

1. Whether the confessional statement was made by the workman not in a fit state of mind and was it a result of persuasion by the Enquiry Officer and Presenting Officer and did the management committed any wrong by acting upon it?
2. Whether the action of the management in removing the workman from his service is justified?
3. Whether the workman is entitled to any relief, if so to what?

In support of his case the workman submitted his affidavit and the management submitted the affidavit of Ravi Mahajan Manager (Personal) of State Bank of India, Region 1, Zonal Office, Haryana, Panchkula. The Management has produced certain documents along with its reply. Vide order dated 9-12-2002 the learned Presiding Officer of CGIT-cum-Labour Court-I, Chandigarh, where the reference was pending earlier, has held that enquiry was fair and proper. The workman, however, was given opportunity of adducing evidence on perversity of decision making if any of enquiry officer and disciplinary authority and the case was listed for the evidence of the parties. On 29-04-2010, before this Tribunal, it was submitted on behalf of both the parties that no evidence is required in the case and it be fixed for arguments. The workman filed his written arguments while the learned counsel for the management made his oral submissions.

I have considered the material available on record and also the arguments of the parties counsel. My findings on the various issues are as follows:-

Issue No. 1

It is important to note that the workman had not denied his confessional statement but he has tried to save his skin firstly on the ground that he was not in a fit state of mind at the time of his statement. In his affidavit dated 24-3-2006 he has stated that he had met with an accident on 4-05-1996 and was admitted in PGI from 4-5-1996 to 8-5-1996 and he had been referred to the PGI for proper assessment and certification by Dr. Parbhat Sood (Consultant Neuro Psychiatrist), General Hospital, Sector 6, Panchkula. But there is no medical paper to support that he was suffering from any disease. Moreover, the accident had taken place in 1996 while the charge relate to an incident of October, 1997 and disciplinary proceedings started against him in 1999 and as it is clear from Annexure-8 of written statement the workman admitted the charge on 5-8-1999. There is nothing on record to show, except his own statement that he was not in a fit state of mind to make the confessional statement. His plea in this regard, therefore, is not acceptable.

The workman has assailed his admission secondly, on the ground that he had been induced to make it by the Enquiry Officer and Presenting Officer. But in support of this allegation also there is no evidence. The admission of the charge appears to have been made in a natural way and manner. Annexure-8 shows the proceedings of 5-8-1999. On the date, the Enquiry Officer, the Presenting Officer and the workman were present and after the Presenting Officer read out the charges levelled against him vide Memo No. DGM/HAR/DPS/442 dated 26-03-1999 the Enquiry Officer asked the workman whether he accept the charge levelled against him and the workman replied:-

"Yes, I do accept the charge levelled against me vide Memo No. DGM/HAR/DPS/442 dated 26-03-1999 unconditionally."

Annexure-12 of the written statement is the record of personal hearing. The last para of the proceedings is as follows :-

"Shri Miglani pleaded in the personal hearing that he met with an accident in May, 1996. From then he is under depression. He accepted the charge and pleaded that he committed the mistake under depression. He requested that keeping in view his small kids a lenient view may be taken. He assured that in future he will work sincerely and honestly."

The plea of the workman that confessional statement was obtained by an inducement does not inspire confidence. The argument of the counsel of the workman is that in the statement of the workman in which he has allegedly confessed his guilt the word 'unconditional' has

been added. The mention of this word creates a doubt about the genuineness of the statement. No person would write the word 'unconditional' if he wants to admit his guilt.

Regarding this argument it is important that in his affidavit the workman has nowhere stated that his confessional statement recorded by the Enquiry Officer is not genuine and there has been any interpolation in his statement. The argument is clearly an afterthought like the other objections of the workman against the confessional statement.

In its argument the workman has sought to assail the confessional statement, also on the ground that before recording it the Enquiry Officer did not warn him that in case of admission of charge he may lose his service and so his confessional statement cannot be acted upon. This argument of the workman is also not convincing. The occasion of the warning arises only when before his statement the workman applies in writing to confess his guilt or in answer to the charge-sheet he admits the guilt. The confessional statement of the workman in the case came suddenly in answer to the question of the Enquiry Officer, who was not having any inkling of the confessional statement after the workman had denied the charge in his reply to the charge-sheet. In the written arguments filed on behalf of the workman his learned counsel has cited the law laid down by the Hon'ble Supreme Court in *Delhi Transport Corporation Versus Shyam Lal* 2004(4) RSJ 115 wherein the Hon'ble Court held "that it is the firm settled position in law that admission is the best piece of evidence against the person making the admission. It is, however, open to the person making the admission to show why the admission is not to be acted upon."

The argument of the workman is that in the case workman had requested the authorities to conduct the enquiry afresh as his admission was not voluntary but the authorities did not consider his request. In this regard the argument of the workman is misplaced. According to the law laid down by the Hon'ble Court the workman has a right to show i.e. he has to prove the circumstances or facts making out the grounds for not acting upon admission. It does not mean that an afterthought statement of the person making the admission will be taken into consideration without any supporting evidence.

The learned counsel for workman also cited the law laid down in *Gurdeep Singh Versus State of Punjab & Another* 2005(3) SCT 271 wherein the Hon'ble Punjab and Haryana High Court held that though the rules do not envisage regular enquiry for imposing minor punishment it mandates of Issuance of charge-sheet, consideration of reply and discretion to hold an enquiry and since competent authority already formed an opinion on the basis of material on record, a Show Cause Notice was

merely post decisional hearing and does not satisfy rules of justice.

The above case law is not applicable in this case. In that case after holding a preliminary enquiry the competent authority accepted the preliminary enquiry report and after considering the conclusion that the petitioner was guilty in holding the accused in the case, a Show Cause Notice calling upon him as to why minor penalty should not be imposed upon him was issued. Charge Sheet was not issued to the petitioner and a notice was issued to the petitioner, calling upon him to show cause, why minor penalty should not be imposed upon him? It was in these circumstances that the Hon'ble Court held that the notice was a post decisional hearing and it does not satisfy the rules of natural justice. Here in this case, the charge-sheet was issued to the workman; he denied the charge initially but subsequently admitted his guilt; the Enquiry Officer found him guilty and then competent authority issued a notice of proposed punishment and asking the workman as to why the proposed punishment be not inflicted upon him.

The learned counsel for the workman has also cited *Kamla Kumari versus State of Haryana & Others* 2005(3) SCT 517 wherein an adverse order was passed after Show Cause Notice but without any consideration to the reply to such notice. It was held by the Hon'ble Punjab and Haryana High Court that such an action would be violative of principle of natural justice and cannot be sustained.

In the present case in reply to the notice of proposed punishment the workman appeared on 29-01-2000 before the disciplinary authority and pleaded that as he had met with an accident in May, 1996 he was under depression. He however, accepted the charge and pleaded that he had committed the mistake under depression. The punishment order Annexure R-13 shows that the disciplinary authority considered the submissions of the workman but found that the stand taken by the workman is an afterthought and is not convincing as he had met with the accident more than one year before the commission of mistake. It is clear that the above cited law also does not help the workman. He cannot resile from the admission.

From the above going discussion it is clear that the plea of the workman that he made the confessional statement not in a fit of state of mind and his admission was a result of persuasion by the Enquiry Officer and Presenting Officer is not acceptable and is rejected. The management committed no wrong by acting upon it. Issue no. 1 is decided against the workman.

Issue No. 2 & 3

The counsel of the workman has assailed the punishment order on the ground that there was no legal evidence in support of the charge and since no payment

was received by the workman, it cannot be alleged that the workman attempted to cash the withdrawal fraudulently. It has been argued that no opinion from any expert was sought with regard to the signature on the withdrawal slip. In this regard it is important to note that the charge against the workman was about the forging the signatures of the customer Shri Sunil Kumar on the withdrawal form also. The workman has pleaded guilty to the charge in his admission. Hence, there was no need of examining any witness or expert. As it has been held by the Hon'ble Apex Court in the case of Delhi Transport Corporation Versus Shyam Lal (supra) admission is the best piece of evidence against the person making the admission? No fault can be found with the action of the management in holding the workman guilty on the basis of his admission. The learned counsel for management has cited State Bank of India & another versus Bela Bagchi & another 2006(3) SLR 184 wherein the Hon'ble Apex Court observed that a bank officer is required to exercise higher standard of honesty and integrity. He deals with the money of depositors and the customers. Every officer/employee of the bank is required to take all possible steps to protect the interest of the bank and to discharge his duties with utmost integrity, honesty, devotion and diligent and to do nothing which is unbecoming of a bank officer. It is no defence available to say that there was no loss or profit resulted case when the officer/employee acted without authority.

It is thus clear that a bank employee not take his duty lightly or in a casual manner. Here the workman is not guilty of negligence but he was having a charge of a fraudulent act on his head. The action of the management in removing the workman from service is, therefore, perfectly justified and the workman is not entitled to any relief. The reference is answered against the workman. Let two copies of award after due compliance be sent to the Central Government for further necessary action.

ASHOK KUMAR RASTOGI, Presiding Officer

नई दिल्ली, 15 दिसम्बर, 2010

का.आ. 132.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इण्डियन इस्टीमेट ऑफ पल्सेस रिसर्च के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कानपुर के पंचाट (संदर्भ संख्या 155/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-12-2010 को प्राप्त हुआ था।

[सं. एल-42012/242/98-आई आर(डी यू)]

जोहन तोपनो, अवसर सचिव

New Delhi, the 15th December, 2010

S.O. 132.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the award (Ref. No. 155/99) of the Central Government Industrial Tribunal-cum-Labour Court, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of a Indian Institute of Pulses Research and their workmen, which was received by the Central Government on 15-12-2010.

[No. L-42012/242/98-IR (DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE SRI RAM PRAKASH, HJS, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,

KANPUR.

Industrial Dispute No. 155 of 99

BETWEEN

Shri Vimlesh C/o Rajendra Prasad Shukla,
115, 193 A-2, Mswanpur, Kanpur.

AND

Directore,

Indian Institute of Pulses, Research,
Kalyanpur, G T. Road, Kanpur.

AWARD

1. Central Government, MoL, vide notification No. L-42012/242/98-IR(DU) dated 26-04-99, has referred the following dispute for adjudication to this tribunal.

2. Whether the action of the Director, Indian Institute of Pulses Research, Kalyanpur, Kanpur in terminating the services of Sh. Vimlesh is legal and justified? If not to what relief the workman is entitled?

3. Brief facts are that the claimant Sri Vimlesh has filed his claim statement praying that order of termination of service dated 19-05-98 be set aside and he be directed to be reinstated in the service with continuity and all back wages. It is alleged by him that he was employed by the opposite party on 1-1-90 in permanent capacity by opposite party department and he was being paid the minimum of the scale i.e. Rs. 2127 per month before termination. It is stated that to avoid applicability of the provisions of the Act, opposite party started taking work through the contractors. It is stated that he was engaged, for agriculture purposes. It is stated that the opposite party is an agriculture industry as they grow Dal, Chana, Matar etc., and they sell it to the farmers and other institutes for the purposes of gaining. It is stated that he has worked for 240 days or more. Before termination he has not been paid notice pay, notice or retrenchment compensation, so the opposite party has flouted the provisions of Section 25F of the Act. It is also stated that the opposite party has engaged certain other workers without affording any opportunity to the claimant. So he has filed this claim.

4. Opposite party has filed a detailed reply running into 85 pages but mostly of reiteration of the same facts. His main contention is that the claimant was never engaged or employed in the institute. His attendance was never marked. It is stated that the agriculture work are being taken in the institute through the workers engaged on contract basis through contractors. He was never paid any wages or remuneration by the opposite party. There is no relationship of master and servant. No appointment letter was ever issued to the claimant. Therefore, it has been prayed that the claim petition of the claimant be dismissed being devoid of merit.

5. Claimant has also filed rejoinder but therein nothing new has been pleaded except reiterating the facts already pleaded by him in his claim statement.

6. Both the parties have filed documentary evidence.

7. Claimant has filed 10 documents vide list dated 27-07-01 mostly these are photocopies and claimant has not given any evidence to prove any of the documents. Opposite party has not admitted any of the documents.

8. Opposite party has also filed 12 documents vide list dated 27-07-01. Mostly these are photocopies of license of the contractor issued by the Regional Labour Commissioner.

9. It is the contention of the opposite party that in getting such type of work like plowing irrigation etc., they take services of the workers through the contractor and a license has been issued by RL in that respect.

10. Claimant has not adduced any evidence despite giving sufficient opportunity. It is true that initially the burden lies on the claimant to prove his case; pleadings cannot take the shape of proof. Opposite party has contradicted the version of the claimant. Opposite party has adduced one Sri J N Katiyar, M.W.I (retired Farm Manager) DPR. He stated on oath that he had never employed or engaged the claimant Sri Vimlesh in his institute. He was never allowed to mark his attendance. In the institute the work relating to agriculture purposes like Nirai Gurai etc. is being taken through the workers of licensed contractors. When the claimant was not in the engagement of the opposite party so the question of making payment does not arise. His statement is un-rebutted. Claimant was himself present on that day but he did not think it proper to cross examine the witness. Therefore the evidence adduced by the management is genuine and believable. Claimant has failed to prove his case.

11. On the basis of above observation it is held that the reference is liable to be decided against the claimant and in favour of the opposite party. It is also held that the claimant is not entitled for any relief as claimed by him.

12. Reference is therefore, answered accordingly against the claimant.

Dated. 9-12-10 RAM PARKASH, Presiding Officer

नई दिल्ली, 15 दिसम्बर, 2010

का.आ. 133.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कानपुर के पंचाट (संदर्भ संख्या 86/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-12-2010 को प्राप्त हुआ था।

[सं. एल-40012/206/2000-आईआर(डीयू)]

जोहान तोपनो, अवर सचिव

New Delhi, the 15th December, 2010

S.O. 133.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 86/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workmen, which was received by the Central Government on 15-12-2010.

[No. L-40012/206/2000-IR (DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE SRI RAM PARKASH, HIS, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, KANPUR

Industrial Dispute No. 86 of 2000

In the matter of dispute between—

Sri Adya Prasad Pandey, Son of Late R. D. Pandey,
Resident of Village Chandpur, PO Mahgaon, District
Varanasi.

AND

The General Manager, Telecom Department,
Telegraph, Varanasi.

AWARD

1. Central Government, MoL & Employment, vide notification no. L-40012/206/2000-IR (DU) dated 31-07-2000 has referred the following dispute for adjudication this tribunal.

2. Whether the action of the management of Telecom Department in terminating the services of Sh. Adya Prasad

Pandey with effect from 01-09-99 is justified? If not to what relief the workman is entitled?

3. Brief facts of the case are that the opposite party terminated the services of the claimant with effect from 01-09-99 without making payment of his earned wages and also without paying him arrear which is illegal. For the security purposes of the Sub Division of the opposite party, the claimant was engaged by the opposite party on 10-03-98, thereafter, he was transferred in the year . 1999 from Mirzapur to Adalpur Sub Division District Varanasi by the opposite party. It is stated by the claimant that he rendered his continuous services up to 31-08-99 and in this way he had rendered more than 240 of continuous service during the period of his 'engagement. It is stated by the claimant that the Sub Division is under the control and supervisions of the opposite party. It is stated that the opposite party paid him remuneration for the work done by him. It is stated that the role of opposite party no.3 is nothing but to disburse the wages to the opposite party. In the array of the parties opposite party no.3 has been shown as S. N. Singh, M/s Security and Protection Services Gayatri Nagar Colony, Taktakpur Varanasi.

4. It is also stated that the work against which the services of the claimant have been utilized is of permanent nature and is also under the direct control and supervision of the opposite party. He was paid by the opposite party no. 1 Rs.1650/- per month but during the period of his engagement the claimant was paid wages only at the rate of Rs. 1000 by the opposite party no.3. The wages of the claimant were revised by the opposite party with effect from June 1999 from Rs.1650 to Rs.2513 but the applicant was paid only Rs.1200 per month. As the claimant raised his voice before Central Administrative Tribunal, Allahabad, the opposite party became annoyed and dispensed with his continuous services with effect from 01-09-99, without making payment of retrenchment compensation, notice pay or notice as per rules, therefore, the termination of his services is liable to be set aside being passed in violation of the mandatory provisions of Industrial Disputes Act. It is nothing but a victimization of the applicant by the management. Therefore it has been prayed by him that he be reinstated in the service of the opposite party with full back wages and all consequential benefits.

5. The opposite party contested the claim of the claimant and has vehemently denied that he was ever appointed/engaged by them against any regular or permanent post. It is stated by them that for the purpose of security, in the office of TDM Mirzapur, an agreement was entered into between M/s Security & Protection Services Gayatri Nagar, Pandey Pur Varanasi, through its Director S. N. Singh and Divisional Engineer (Admn.) through Sri Mrityunjai Singh posted in the office ; of TDM Mirzapur on 06-02-98 for a period of one year till 5-2-99. In

the agreement it was clearly mentioned that the salaries of the security goods by the security agency shall be given to the said agency and the said agency will be responsible for the payment of salaries to the security guards. It was also clearly mentioned in the agreement that the security guard will be at no point of time employee/workmen of the department. It was also mentioned that power of appointment and termination shall rest with the security agency. Armed Security Guard was to be paid Rs.1950 per month and security gaurd with his Lathi was to be paid Rs.1650 per month. Opposite party has filed true Photo copies of the agreement as annexure 1. It is also stated that the claimant has already filed an application before the Central Administrative Tribunal Allahabad and he did not suppose to file numerous litigations. It is stated that the opposite party is neither appointing authority nor the terminating authority. Therefore they have prayed that the claim of the claimant be dismissed as devoid of merits.

6. Claimant has filed certain photocopies of the documents. During arguments I have inquired from the Auth. Representative for the claimant whether he wants to rely any of the photocopy of the documents but he did reply in positive so these documents cannot be taken into cognizance and is not relevant to decide the question involved.

7. Opposite has filed the copy of the agreement that is with M/s. Security & Protection Pandeypur Varansi, as stated above. They have also filed certain photocopies vide list dated 16-02-01. These are 14 photocopies but during , arguments they have also not placed any reliance on these photocopies.

8. Both the parties have adduced oral evidence. Claimant has adduced himself as W.W.I Adya Prasad Pandey. Opposite party has adduced Sri V. B. Mishra, SDO a M.W.I.

9. I have heard the arguments at length and perused the whole record.

10. The only short question to be decided in the dispute is whether the claimant was ever appointed or engaged directly by the Opposite party department and he has completed 240 days in a year.

11. It is a clear case of the opposite party that the claimant was never appointed or engaged by the department. No appointment letter was ever issued. The name of the claimant was never called from any Employment Exchange. It is stated that for the protection and security in the office of TDM Mirzapur the services of M/s Security & Protection Gayagtri Nagar, Pandeypur Varanasi were engaged through a mutual agreement which was entered between the parties and that agency has to provide the security guards for one year starting from 6-2-98 to 5-2-99. It is clearly stated that no services were taken after 5-2-99. I have inquired whether there is any documentary

evidence with the claimant that he was engaged directly by the opposite department or was he ever paid the wages or remuneration directly by the opposite party department. Claimant has failed to show before me any clinching documentary evidence in respect to the fact. Opposite party has clearly in his oral evidence as M.W.1 that opposite is neither the appointing authority nor the punishing authority, it was neither the paying authority.

12. Claimant has admitted in his cross examination that he was not given any appointment letter by the opposite party, he was not medically examined. Neither there was any police verification.

13. There is another contention of the claimant that the opposite party has removed the services of the claimant and employed other ones. I have gone through this fact also and find that there is no mention of such type of aversions in the claim statement therefore; the claimant cannot take any advantage of this issue.

14. I have perused the evidence of the parties. The evidence adduced by the opposite party is believable. In the given facts and circumstances of the case, in my view the claimant has failed to prove his case.

15. Claimant has placed reliance upon a decision Hussainbhai, Calicut and Alath Factory Thozilali Union, Calicut and others, 1978, LLJ page 397.

16. I have given my anxious thought to the law cited by the claimant and find that the proposition of law is not applicable to the facts and circumstances of the claimant's case which are entirely distinguishable on facts and law.

17. Therefore, in view of above observations it is concluded that the claimant has failed to prove his case and therefore, he is not held entitled to the relief claimed by him. As such reference is liable to be decided in negative. against the claimant and in favour of the opposite party.

RAM PARKASH, Presiding Officer

नई दिल्ली, 16 दिसम्बर, 2010

का.आ. 134.—जबकि मैसर्स श्री दिग्विजय सीमेन्ट कम्पनी लिमिटेड, जामनगर (कोड संख्या जी.जे/4 राजकोट क्षेत्र के अंतर्गत), (एतदुपरान्त प्रतिष्ठान के रूप में संदर्भित) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) (एतदुपरान्त अधिनियम के रूप में संदर्भित) की धारा 17 की उप-धारा (1) के खण्ड (क) के अंतर्गत प्रदान की गयी छूट को रद्द करने के लिए आवेदन किया है।

2. और जबकि उक्त प्रतिष्ठान ने अब दिनांक 01-08-2005 से अपनी छूट को अभ्यर्पित (सरेंडर) कर दिया है तथा यह काफी समय से कोई क्रियाकलाप नहीं कर रहा है।

3. अतः, अब केन्द्र सरकार उक्त अधिनियम की धारा 17 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा उक्त प्रतिष्ठान को प्रदान की गई छूट को दिनांक 01-04-2009 से रद्द करती है।

[सं. एस-35017/08/2010-एसएस-2]

एस.डी. जेवियर, अवर सचिव

New Delhi, the 16th December, 2010

S.O. 134.—Whereas M/s Shree Digvijay Cement Company Ltd., Jamnagar [under Code No. GJ/4 Rajkot region] (hereinafter referred to as the establishment) has applied for cancellation of exemption granted by Government of India under clause (a) of sub-section (1) of section 17 of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the Act);

2. And whereas the establishment has now surrendered its exemption with effect from the 01-04-2009 and it is no longer carrying on any activity;

3. Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 17 of the said Act the Central Government hereby cancels the exemption granted to the said establishment with effect from the 01-04-2009.

[No. S-35017/08/2010-SS-II]

S. D. XAVIER, Under Secy.

नई दिल्ली, 22 दिसम्बर, 2010

का.आ. 135.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91-क के साथ पठित धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा मैसर्स ब्रिटिश इंडिया कार्पोरेशन लिमिटेड, कानपुर के नियमित कर्मचारियों को उक्त अधिनियम के प्रचालन से 30 सितम्बर 2010 सहित इस अवधि तक के लिए छूट प्रदान करती है।

2. उक्त छूट निम्नलिखित शर्तों के अधीन है; अर्थात् :-

- (1) पूर्वोक्त स्थापना जिसमें कर्मचारी नियोजित हैं, एक रजिस्टर रखेगी, जिसमें छूट प्राप्त कर्मचारियों के नाम और पदनाम दिखाये जायेंगे;
- (2) इस छूट के होते हुए भी, कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रसुविधाएं प्राप्त करते रहेंगे जिनको पाने के लिए वे इस अधिसूचना द्वारा दी गई छूट के प्रवृत्त होने की तारीख से पूर्व संदत्त अंशदानों के आधार पर हकदार हो जाते हैं ;
- (3) छूट प्राप्त अवधि के लिए, यदि कोई अभिदाय पहले ही किए जा चुके हों, तो वे वापस नहीं किए जाएंगे;
- (4) उक्त कारखाने/स्थापना का नियोजक उस अवधि की बाबत जिसके दौरान उस कारखाने/स्थापना पर उक्त अधिनियम

- (जिसे इसमें इसके पश्चात् उक्त अवधि कहा गया है) प्रवर्तमान था ऐसी विवरणियां, ऐसे प्रारूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी अपेक्षित होती थीं;
- (5) निगम द्वारा उक्त कर्मचारी राज्य बीमा अधिनियम की धारा 45 की उप-धारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी;
- (i) धारा 44 की उप-धारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरण की विशिष्टियों को सत्यापित करने के प्रयोजनार्थ; अथवा
- (ii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथाअपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गये थे या नहीं; या
- (iii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिये गए उन फायदों को, जिसके फलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद में और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं; या
- (iv) यह अभिनिश्चित करने के प्रयोजनार्थ कि उस अवधि के दौरान, जब उक्त कारखाने के संबंध में अधिनियम के उपबंध प्रवृत्त थे, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं, निम्नलिखित कार्य करने के लिए सशक्त होगा :-
- (क) प्रधान या आसन्न नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है; अथवा
- (ख) ऐसे प्रधान या आसन्न नियोजक के अधिभोगाधीन, किसी कारखाने, स्थापना, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से संबंधित ऐसे लेखा, बहियां और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें या ऐसी जानकारी दें जिसे वे आवश्यक समझते हैं; या
- (ग) प्रधान या आसन्न नियोजक की, उसके अधिकर्ता या सेवक की, या ऐसे किसी व्यक्ति को, जो ऐसे कारखाने, स्थापना, कार्यालय या अन्य परिसर में पाया जाए, यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना; या

(घ) ऐसे कारखाने, स्थापना, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखा, बही या अन्य दस्तावेज की नकल तैयार करना या उद्धरण लेना;

(ङ) यथानिर्धारित अन्य शक्तियों का प्रयोग करना।

6. विनिवेश/निगमीकरण के मामले में, प्रदत्त छूट स्वतः रद्द हो जाएगी और तब नए प्रतिष्ठान को छूट हेतु समुचित सरकार की अनुमति लेनी होगी।

[संख्या एस-38014/48/2008-एस.एस.-1]

एस. डी. जैवियर, अवर सचिव

स्पष्टीकरण ज्ञापन

इस मामले में छूट को भूलक्षी प्रभाव देना आवश्यक हो गया है क्योंकि छूट के आवेदन पर कार्यवाही करने में समय लगा। तथापि, यह प्रमाणित किया जाता है कि छूट को भूलक्षी प्रभाव देने से किसी भी व्यक्ति के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

New Delhi, the 22nd December, 2010

S.O. 135.—In exercise of the power conferred by Section 88 read with Section 91-A of the Employee's State Insurance Act, 1948 (34 of 1948) the Central Government hereby exempts the regular employees of M/s. British India Corporation Ltd., Kanpur from the operation of the said Act for a period up to and inclusive of 30th September, 2010.

2. The above exemption is subject to the following conditions namely :—

- (1) The aforesaid establishment wherein the employees are employed shall maintain a register showing the name and designations of the exempted employees'.
- (2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates;
- (3) The contributions for the exempted period, if already paid, shall not be refundable;
- (4) The employer of the said factory/establishment shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred as the said period), such returns in such forms and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;
- (5) Any inspector appointed by the Corporation under sub-section (1) of Section 45 of the said ESI Act or other official of the Corporation authorized in this behalf by it, shall, for the purpose of :—

- (i) Verifying the particulars contained in any returned submitted under sub-section (1) of Section 44 for the said period: or
- (ii) Ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
- (iii) Ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
- (iv) Ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory to be empowered to :
 - (a) Require the principal or immediate employer to furnish to him such information as he may consider necessary for the purpose of this Act; or
 - (b) At any reasonable time enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such inspector or other official and allow him to examine accounts, books and other documents relating to the employment of personal and payment of

wages or to furnish to him such information as he may consider necessary; or

- (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises or any person whom the said inspector or other official has reasonable cause to believe to have been an employee; or
- (d) make copies of or take extracts from any register, account book or other document maintain in such factory, establishment, office or other premises,
- (e) exercise such other powers as may be prescribed.

6. In case of disinvestment/corporatization, the exemption granted shall become automatically cancelled and then the new entity will have to approach the appropriate Government for exemption.

[No. S-38014/48/2008-SS-I]

S. D. XAVIER, Under Secy.

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case as processing of the applications for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of any body adversely.